



**RULES OF THE UNIVERSITY FACULTY**  
as of December 4, 2025

[CHAPTER 3](#) -- Administration

[CHAPTER 5](#) -- Faculty, Governance, and Committees

[CHAPTER 6](#) -- Rules of the University Faculty Concerning Faculty Appointments, Reappointments, Promotion and Tenure

[CHAPTER 7](#) -- Rules of the University Faculty Concerning Clinical/Teaching/Practice and Research Faculty Appointment, Reappointment and Nonreappointment, and Promotion

[CHAPTER 8](#) -- Instruction

[CHAPTER 9](#) -- Attendance and Graduation

[CHAPTER 11](#) -- Student Affairs

[CHAPTER 13](#) -- University Property

[CHAPTER 15](#) -- Miscellaneous Provisions

[CHAPTER 17](#) -- Elections Bylaws of the University Senate

[CHAPTER 19](#) -- Bylaws of the University Senate

### **Chapter 3335-3 Administration**

#### **3335-3-01 President.**

- (A) The president shall be the chief executive officer of the Ohio state university subject to the control of the board of trustees (BOT). Duties, authority and rights are as specified in the BOT bylaws, paragraph (A) of rule 3335-1-03 of the Administrative Code.
- (B) Any responsibility of the president may be delegated to any other member of the faculty or staff of the university, subject to any BOT limitations. The president will retain final authority and responsibility for administration of the university. Delegation of major areas shall be in writing to the BOT before implementation as specified in paragraph (F) of rule 3335-1-03 of the Administrative Code.
- (C) The president shall designate a president's planning cabinet. The cabinet shall provide advice and counsel to the president, to discuss, deliberate and serve as the primary decision-making body on major university policies, information sharing, and other roles as the president shall determine, as specified in paragraph (G) of rule 3335-1-03 of the Administrative Code.
- (D) Principal administrative officials shall include the members of the president's cabinet, the deans of the colleges and the dean and directors of regional campuses and their designated staffs, the dean of the university libraries, chairs of academic departments, directors of schools and academic centers, and such other administrative officials as determined by the president, as specified in paragraph (H) of rule 3335-1-03 of the Administrative Code.

(Board approval dates: 6/3/2020, 5/19/2022)

#### **3335-3-02 Executive vice president and provost.**

- (A) The executive vice president and provost shall be the chief operating officer of the university. Under the direction of the president, the executive vice president and provost is responsible for oversight of all academic programs, instructional affairs and faculty affairs of the university. Duties, authority and rights are as specified in BOT bylaw 3335-1-03(B).
- (B) Any responsibility of the executive vice president and provost may be delegated to any other member of the faculty or staff of the university, subject to any university limitations. The executive vice president and provost will retain final authority and responsibility for operations of the university. Delegation of major areas shall be in writing to the president before implementation.
- (C) The executive vice president and provost shall designate a senior management council. The council shall provide advice to the provost, discuss, deliberate and serve as the primary decision-making body on academic or university policies and other roles as the provost shall determine. The provost shall chair a council of deans as prescribed in rule 3335-3-23.

(Board approval dates: 6/3/2020, 5/19/2022)

#### **3335-3-03 Senior vice president for business and finance.**

The senior vice president for business and finance shall be the chief financial officer of the university. Under the direction of the president, the senior vice president for business and finance is responsible for the administration of the university's business, financial and administrative operations. Duties, authority and rights are as specified in BOT bylaw 3335-1-03(C).

(Board approval dates: 6/3/2020, 5/19/2022)

**3335-3-04 Vice President.**

An individual holding a vice president title shall report to the president, or to the executive vice president and provost, and shall be selected in accordance with BOT procedures.

(Board approval dates: 6/3/2020, 5/19/2022)

**3335-3-05 Vice Provost.**

An individual holding a vice provost title shall report to the executive vice president and provost and shall be selected in accordance with university procedures.

(Board approval dates: 6/3/2020, 5/19/2022)

**3335-3-06 Executive Vice President and Chancellor.**

The chancellor shall be the chief executive officer of the Wexner Medical Center and shall be appointed by the Wexner Medical Center Board of Trustees. Duties, authority and rights are as specified in the bylaws of the medical staff.

(Board approval dates: 7/12/1991, 2/4/1993, 4/4/1997, 6/18/2010, 6/3/2020)

**3335-3-07 Senior Vice president and director of athletics.**

- (A) The senior vice president and director of athletics shall be appointed by and responsible to the president. The athletic council (see rule 3335-5-48.5) shall also be consulted in the appointment of the athletic director.
- (B) Under policies established by the athletic council, the senior vice president and director of athletics shall administer the intercollegiate athletics program subject to the direction of the president or their designee.
- (C) The athletic physical plant shall be under the concurrent jurisdiction of the department of athletics and the office of facilities operation and development. Athletic physical plant employees shall be under the jurisdiction of the department of athletics, which in consultation with the office of physical facilities shall be responsible for all normal maintenance and repairs. Major remodeling, renovation, construction and other capital improvements shall be undertaken only with the prior approval of, and under the direction of, the office of facilities operation and development.

(Board approval dates: 12/4/1998, 3/5/2003, 7/11/2008, 4/8/2016, 6/3/2020, 5/19/2022)

**3335-3-23 Council of deans.**

- (A) The executive vice president and provost, the deans of the colleges, the dean of the graduate school, the deans and directors of the regional campuses, the dean of undergraduate education, the dean of online education, and the dean of libraries shall comprise the council of deans of the university. The executive vice president and provost shall be chair of the council.
- (B) The council of deans shall meet on the call of the chair. The council of deans shall serve as an advisory council to the president.

(Board approval dates: 10/5/1973, 2/2/1979, 4/3/1981, 7/9/1982, 3/2/1984, 12/5/1986, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998, 10/1/1999, 5/7/2004, 6/7/2005, 2/1/2006, 2/11/2011, 11/21/2019, 6/3/2020, 5/19/2022, 5/19/2022, 11/20/2024)

### **3335-3-25 Organization of the university.**

- (A) For the purpose of administering the various programs of the university, there shall be established educational and administrative units within the university. All units of the university shall be established, altered, or abolished only by the board of trustees.
- (B) Procedures for recommending the establishment, alteration and abolition of educational units shall be promulgated by the university faculty or the university senate and approved by the board of trustees (see rules 3335-3-37 and 3335-5-48.1 of the Administrative Code). Procedures recommending the establishment, alteration and abolition of administrative units shall be promulgated by the president and approved by the board of trustees.
- (C) The basic organization of the educational units of the university shall be as established in paragraph (B) of rule 3335-1-05 of the Administrative Code.

(Board approval dates: 8/1/1997, 6/1/2001, 6/7/2005, 5/19/2022)

### **3335-3-26 Establishment of colleges and graduate school.**

For educational administration the university shall be organized into a graduate school and fifteen colleges, as established in rule 3335-1-05 (B) (3) of the Administrative Code.

(Board approval dates: 8/1/1997, 5/4/2001, 6/29/2001, 6/7/2005, 7/7/2006, 7/11/2008, 2/11/2011, 4/8/2016, 5/19/2022)

#### **3335-3-26.1 Establishment of regional campuses.**

- (A) There shall be four regional campuses of the university, as established in paragraph (B)(5) of rule 3335-1-05 of the Administrative Code.
- (B) The four regional campuses shall be administered separately by their respective deans and directors.

(Board approval dates: 2/1/1980, 12/5/1986, 5/3/1996, 6/7/2005, 4/8/2016, 5/19/2022)

### **3335-3-27 Organization of the graduate school.**

The graduate school shall consist of those components established in rule 3335-1-05 (B) (4) of the Administrative Code.

(Board approval dates: 6/7/2005, 4/8/2016, 5/19/2022)

### **3335-3-28 Dean of libraries.**

- (A) The dean of libraries shall be appointed by the board of trustees upon nomination of the president. Before making this nomination the president shall confer with the executive vice president and provost who, in turn, shall confer with representatives of the faculty of the university libraries and with the library committee

- (B) The dean of libraries shall have the responsibility and authority for administering the university libraries under the jurisdiction of that office and the university archives. In the discharge of library duties the dean shall be guided by the policies established by the library committee (see rule 3335-5-48.X of the Administrative Code). The dean shall report to the president through the executive vice president and provost.
- (C) Without limiting the generality of the foregoing, the dean shall evaluate continuously the administrative and operating practices of the university libraries under the jurisdiction of that office and the university archives, and lead in the study of methods in improving them; recommend appointments, promotions, and dismissals under the rules of the university; and prepare for the approval of the executive vice president and provost's annual recommendations for the budgets for personnel and for archives and library materials.

(Board approval dates: 4/4/1997, 12/4/1998, 6/7/2005, 11/21/2019, 5/19/2022)

**3335-3-29 Deans of the colleges.**

- (A) There shall be a dean of each college who shall be a member of its faculty and the administrative head of the college. Each dean shall be appointed and reappointed by the board of trustees upon nomination of the president. Before making this nomination or recommendation for reappointment, the president shall confer with members of the faculty of the college for which the dean or executive dean is to be appointed and shall give substantial weight to faculty recommendations in reaching a decision. The president shall also consider the recommendations of the chairs of the departments and the directors of the schools in that college.
- (B) The major responsibility of the dean of each college shall be that of providing active leadership in the promotion, direction and support of educational and research activities of the university, in the maintenance of a high level of morale among the faculty, and in the encouragement of the spirit of learning among the students. In addition the dean shall have general administrative responsibility for the program of the college, subject to the approval of the president and the board of trustees. These administrative responsibilities shall include the duties to:
- (1) Preside at meetings of the college faculty and to appoint all college committees unless their membership has been designated by faculty rule or by the college faculty.
  - (2) Approve courses of study for students in their college, to warn students who are delinquent in their studies and to recommend appropriate student disciplinary action to the appropriate university disciplinary body or official.
  - (3) Present candidates for degrees to the president on behalf of the college faculty and to serve as a member of the council of deans (see rule 3335-3-23 of the Administrative Code).
  - (4) Make recommendations to the executive vice president and provost concerning the college budget, and concerning the appointments to and promotions within the staff and the membership of the college faculty, after consultation with the chairs of the department and the directors of the schools within the college.
  - (5) Review in consultation with the faculty the college's pattern of administration (POA). The POA shall be consistent with the principles of faculty governance and the responsibilities of the dean. At the beginning of each five-year term, in consultation with the faculty, the dean shall either reaffirm or revise the existing POA. The existing POA shall be the starting point for the review of the POA and shall remain in effect until the process is complete. Any revisions to the existing POA shall be accomplished first with broad faculty input, obtained in

a manner consistent with the college's established practices and procedures, and, second, with faculty approval, also consistent with the college's practices and procedures. If faculty approval is not achieved, the dean shall explain the rationale in writing for the departure in order to enhance communication and facilitate understanding.

The POA will be submitted to the executive vice president and provost for approval. After approval, the POA shall be made available to all members of the faculty, be posted on the college web site, and be distributed to each department and the college office.

For purposes of defining minimum content the following shall be included in the POA:

- (a) Introductory statement
  - (b) College mission
  - (c) Types of faculty appointments and their respective governance rights
  - (d) Organization of college services and staff
  - (e) Overview of college administration
  - (f) Description of college faculty governance structure, including at least a college investigation and sanctioning committee (see rule 3335-04 of the Administrative Code) and a salary appeals committee
  - (g) Policies governing faculty responsibilities and teaching assignments
  - (h) Policies governing allocation of college resources
  - (i) Grievance procedures
  - (j) A statement recognizing in principle the presumption favoring faculty rule on those matters in which faculty have primary responsibility, including: curriculum, subject matter and methods of instruction, research, faculty status (appointment, promotion and tenure of faculty), and those aspects of student life which relate to the educational process. (Source: "AAUP Statement on Government of Colleges and Universities")
- (C) The dean is hereby given authority requisite to carrying out the responsibilities of their position. The dean may delegate any of their responsibility and authority to another member of the faculty of the college. The dean shall be a voting member of the faculty of each department.
- (D) The usual method of communication between the dean and the president or the board of trustees shall be through the office of academic affairs, then to the president and through the president to the board of trustees.

(Board approval dates: 4/4/1997, 2/6/1998, 12/4/1998, 9/1/1999, 12/2/2005, 2/11/2011, 11/9/2012, 5/19/2022)

### **3335-3-29.1 Dean and director of a regional campus.**

- (A) There shall be a dean and director of each regional campus who shall be a member of its faculty and the administrative head of the regional campus. The dean and director shall be appointed by the

board of trustees upon nomination of the executive vice president and provost in consultation with the president. Before making this nomination, the executive vice president and provost or designee shall confer with the regional campus faculty and the department or school in which the faculty appointment would be made, and shall consider the recommendations of the deans of the colleges with regular faculty assigned to that campus.

- (B) The major responsibility of each regional campus dean and director shall be that of providing active leadership in the promotion, direction, and support of educational activities and research opportunities, in the maintenance of a high level of morale among the faculty, and in the encouragement of the spirit of learning among the students. In addition, the dean and director shall have administrative responsibility for the program of the regional campus subject to the approval of the executive vice president and provost or designee, the president, and the board of trustees. These administrative responsibilities shall include the duties to:
- (1) Preside at meetings of the faculty executive committee.
  - (2) Appoint members to regional campus committees unless the method of selection is determined by the Administrative Code or by the regional campus faculty.
  - (3) Develop in consultation with the faculty a pattern of administration for the regional campus following the principles set forth in paragraph (C)(2) of rule 3335-3-35 of the Administrative Code.
  - (4) Communicate to the regional campus community the educational programs, standards, and policies of the campus and the university.
  - (5) Establish the extent and variety of course offerings on the regional campus in consultation with the executive vice president and provost or designee, the appropriate college deans, department chairs or school directors, and the faculty of the regional campus.
  - (6) Consult with the appropriate college dean and department chair or school director and to jointly offer employment to prospective faculty members assigned to the campus.
  - (7) Assist the appropriate college deans, department chairs, and school directors in the annual review of all faculty assigned to the regional campus. This assistance shall include a written evaluation of the faculty member's teaching, research, and service activities at and for the regional campus. The regional campus dean and director shall be consulted when a regional campus faculty member is being considered for promotion and tenure and may suggest such candidates to the appropriate chairs and directors.
  - (8) Prepare and administer the regional campus budget in consultation with the regional campus faculty budget committee; to consult with the appropriate chair or director regarding faculty salary recommendations; to be responsible for the management, maintenance, and security of the physical plant and capital equipment of the regional campus.
  - (9) Maintain liaison with community councils and agencies and to garner support of regional campus programs and activities.
  - (10) Develop, promote, and maintain educational, cultural, and service programs with approval of the appropriate university bodies and administrative officials. The dean and director shall review all such programs periodically.

(Board approval dates: 2/1/1980, 7/8/1983, 3/2/1984, 10/4/1985, 6/11/1986, 12/5/1986, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998, 6/7/2005, 5/19/2022)

**3335-3-30.1 Dean of undergraduate education.**

- (A) There shall be a dean of undergraduate education who shall be a member of the faculty charged with overseeing and implementing policies related to undergraduate academic programming. The major responsibility of the dean of undergraduate education shall be that of providing active leadership in the promotion, direction, and support of undergraduate educational activities of the university, and in the encouragement of the spirit of learning among the students. The dean of undergraduate education shall be appointed and reappointed by the board of trustees upon nomination by the executive vice president and provost in consultation with the president.
- (B) The dean of undergraduate education shall serve as a member of the council of deans, and in general be responsible for the progress of the educational policies and the well-being of undergraduate programs at the university. The dean shall report to the executive vice president and provost upon the condition and progress of the undergraduate education whenever called upon to do so.
- (C) The dean and executive dean of undergraduate education shall work with colleges to propose and implement policies of the faculty with respect to the development of programming for: challenging academic experiences for undergraduate students; the curricula and requirements for baccalaureate programs and the development of new and useful undergraduate programs; general education requirements, including the retention and ongoing development of curricula assigned specifically for the general education of all undergraduate students; a general university honors program; and other academic programs that are necessary and supportive of undergraduate studies.
- (D) The dean of undergraduate education shall be responsible for the coordination of university advising and curricular counseling. Specifically, the dean of undergraduate education shall keep colleges informed of all changes in curricular requirements and other matters pertaining to academic advising, and in this manner assist in achieving consistency of advising across the university.
- (E) The dean of undergraduate education shall be consulted by the deans of the colleges on matters relating to university-wide aspects in undergraduate instruction.
- (F) With the approval of the faculty, or its designated representative body and the deans of the colleges, the dean of undergraduate education may appoint committees from the faculty to work with them in the implementation of those policy areas as outlined in paragraphs (C) and (D) of this rule.
- (G) The dean is hereby granted all authority necessary to carry out the responsibilities of the dean of undergraduate education.
- (H) The dean of undergraduate education shall also be responsible for such other matters pertinent to undergraduate education that may be designated by the executive vice president and provost.

(Board approval dates: 12/5/1986, 11/2/1990, 6/3/1994, 5/3/1996, 4/4/1997, 12/4/1998, 6/22/2012, 5/19/2022)

**3335-3-31 Dean of the graduate school.**

- (A) There shall be a dean of the graduate school who shall be the administrative head of the graduate school. The dean shall be appointed by the board of trustees upon nomination of the president. Before making a nomination, the president shall confer with the graduate council.



- (B) The dean of the graduate school shall have the same general responsibilities and authorities that pertain to the deans of the colleges. The dean shall also preside at the meetings of the graduate council and of its executive committee, make recommendations to the council concerning all such matters as are of primary importance in the development of the graduate work of the university, and make recommendations to the executive vice president and provost concerning the budget of the graduate school to provide for the proper maintenance of the school and to assist in the development of graduate work and research programs.

The dean of the graduate school shall present candidates for graduate degrees to the president, serve as a member of the council of deans, and in general, be responsible for the progress of the educational policies and well-being of the school. The dean shall report to the appropriate member of the presidents planning cabinet upon the condition and progress of the graduate school whenever called upon to do so.

- (C) The departments or schools offering graduate work shall confer with the dean of the graduate school in all matters related to graduate work. In all matters pertaining to teaching load and adjustment of personnel, the dean of the graduate school shall consult with the dean of the appropriate college.
- (D) The dean has all authority necessary to carry out the responsibilities of the dean of the graduate school.
- (E) The dean shall appoint all graduate school committees unless their membership has been designated by these faculty rules, the graduate council, or the graduate faculty.
- (F) Any of the responsibility and authority of the dean of the graduate school may be delegated to another member of the graduate faculty.
- (G) The usual method of communication between the dean of the graduate school and the president or the board of trustees shall be the same as for the deans of the colleges.

(Board approval dates: 12/4/1998, 6/7/2005, 6/6/2008, 5/19/2022)

### **3335-3-32 Associate and assistant deans or directors, coordinators, and other officials.**

Each college, the graduate school, and each regional campus may have associate and assistant deans or directors, coordinators, or such administrative officials as are needed to carry out the programs of each unit. These positions shall be appointed pursuant to the procedures outlined in rule 3335-5-02 of the Administrative Code and shall be responsible to the principal administrative official of the educational unit. They shall also have such responsibilities and authorities as may be delegated to them from time to time by that official.

(Board approval dates: 6/7/2005, 2/01/2013, 5/19/2022)

### **3335-3-33 Secretaries.**

Each college and the graduate school shall have a secretary who shall be responsible for keeping the records of the college, including the minutes of all college or graduate school faculty meetings. The secretary shall be appointed pursuant to the procedures outlined in rule 3335-5-02 of the Administrative Code and shall have such additional responsibilities and authorities as may be delegated to them from time to time by the dean. An associate or assistant dean or other college or graduate school officer may also be designated as the secretary of the college or of the graduate school (see paragraph (D)(5) of rule 3335-3-34 of the Administrative Code, for secretary of a school).

(Board approval dates: 3/3/1978, 12/1/1995, 6/29/2001, 5/19/2022)

**3335-3-34 Schools, departments, divisions, and sections; defined and located.**

- (A) The units of a college organization for instruction, research, and service are the school, department, and division.

Each of these units should normally meet the following qualitative requirements:

- (1) A recognized, discrete area of academic concern not already included within the mission of another school, department or division.
  - (2) A proposed or existing academic program at both undergraduate and graduate or graduate professional levels.
  - (3) A source of faculty members prepared to offer academic work in the subject concerned.
  - (4) An academic subject that offers research and/or public service opportunities in addition to formal classroom teaching and has the potential for developing recognition by other scholarly groups.
  - (5) An academic field that has developed or is in the process of developing a student clientele either for the purpose of major programs or as an important "service" discipline to other major programs.
  - (6) The ability to assume primary fiscal responsibility.
- (B) A particular unit may not meet all the aforementioned criteria, but the formation of a unit that does not meet all of the criteria should only be approved when circumstances dictate that approval is important to the academic development of the university.
- (C) Schools and departments shall have a minimum of ten tenure-track faculty positions spread through at least one of each of the three academic ranks of assistant professor to professor, unless persuasive academic reasons demonstrate the need for exceptions.
- (D) A school is differentiated from a department as follows:
- (1) The undergraduate or graduate work offered by a school may lead to "tagged" degrees.
  - (2) Recipients of "tagged" degrees shall be recommended for such degrees by the faculty of the appropriate school.
  - (3) A school, with the exception of the graduate school, may be organized into departments, divisions, or sections.
  - (4) A school, with the exception of the graduate school, shall be responsible to a college for administrative purposes. Curricular proposals developed by the school shall be transmitted to the council on academic affairs for review and action after approval by the college dean or designee.
  - (5) A school may establish its own admission and retention policies and requirements within the framework of university policies and may retain student personnel records for those students enrolled in degree programs under the control of the school. To facilitate the conduct of these

activities, a school shall appoint a secretary, with the responsibilities outlined for a secretary of a college (see rule 3335-3-33 of the Administrative Code).

- (E) A "division" is an academic unit established within a college or a school to provide for a developing need in a circumscribed subject. The head of such a unit shall be known as the chair of a division, shall have academic responsibility, and may be assigned fiscal responsibility by the respective dean of the college or director of the school. This unit shall be responsible for instruction, service, and research in a specific academic concern. Such units may be established in any field in which a new department is not feasible, but in which there is a possibility that growth in the subject may eventually lead to the status of a department. However, the determination to establish such a unit need not be based solely on the presumption that such a unit will attain this status. The status of these units shall be reviewed periodically by the council on academic affairs.
- (F) A "section" is an informal unit within a school, department, division, or academic center that is established to expedite the administration of a given academic subject. The function of a section shall be to assist the parent unit in the administration of the subject and to provide an organizational structure for relationships with professional organizations or other individuals with similar interests. The faculty member in charge shall be known as the section head. The head of the section is appointed by the administrator of the parent unit and has responsibilities delegated by the administrator of the parent unit. The formation of a section must be reported to the council on academic affairs.
- (G) The establishment or abolition of schools, departments, and divisions shall require approval by the council on academic affairs, the university senate, and the board of trustees (see rule 3335-3-37 of the Administrative Code).

(Board approval dates: 4/2/1971, 3/2/1984, 5/3/1996, 6/1/2001, 6/22/2012, 2/2/2018, 5/19/2022)

### **3335-3-35 Chairs of departments, directors of schools.**

- (A) The chair of each department and the director of each school shall be the administrative head, respectively, of the department or school. The department chair and the director of a school perform a dual function. In addition to being the administrative head of the department or school, the chair or director represents the faculty of the department or school in dealing with the dean or others in the university administration. Upon the nomination of the president or their designee, the board of trustees shall appoint each chair and director for a term of four years subject to the annual review provisions of the office of academic affairs. A chair or director shall be eligible for reappointment. In selecting a chair or director, the president or their designee shall confer with the dean of the college involved. The dean, in turn, will consult with the faculty of the department or school on all campuses, as well as other appropriate university officials. The president or their designee shall give substantial weight to faculty recommendations in reaching a decision regarding a nomination or recommendation for reappointment. Department chairs and directors of schools report to the deans of their colleges.
- (B) The president or their designee may remove a chair or director during a four-year term after consultation with the voting faculty and dean of the unit involved. The views of the faculty shall be given substantial weight in arriving at any decision to remove a chair or director from office.
- (C) The duties of the chair of a department or the director of a school shall be as follows:
  - (1) To have general administrative responsibility for its program, subject to the approval of the dean of the college.



- (2) To develop, in consultation with the faculty, a pattern of administration. This pattern of administration shall be made available to all present and prospective members of the faculty of the department or school, and a copy shall be deposited in the office of the dean of the college and in the office of the executive vice president and provost.

For purposes of defining minimum content, the following shall be included in the pattern of administration:

- (a) A statement requiring the chair to provide a schedule of all regular faculty meetings (see rule 3335-5-18 of the Administrative Code) to all faculty members before the start of each semester, summer term, or session.
  - (b) A statement requiring the chair to maintain minutes of all faculty meetings and to maintain records of all other actions covered by the pattern of administration.
  - (c) A statement that the chair will consult with the faculty on all policy matters, and that such consideration will, whenever practicable, be undertaken at a meeting of the faculty as a whole.
  - (d) A statement recognizing in principle the presumption favoring majority faculty rule on all matters covered by the pattern of administration. This statement shall further provide that whenever majority faculty rule is not followed, the department or faculty chair, or school director, or dean and director of a regional campus, whichever is the case, shall explain the reasons for the departure to enhance communication and to facilitate understanding within the department. Where possible, this statement of reasons shall be provided before the departure occurs. This explanation shall outline the decision of the majority of the faculty, the decision of the department or faculty chair, or school director, or dean and director of the regional campus, whichever is the case, and the reasons the decisions differ. The explanation shall be communicated to the faculty in writing, where possible, or at a faculty meeting, with an opportunity provided for faculty to comment.
  - (e) A statement affirming that the faculty shall be consulted in the initiation and in the review and selection of new faculty members for appointment.
  - (f) A statement explaining how faculty duties and responsibilities in instruction, scholarship, and service are to be assigned and distributed equitably.
- (3) To prepare, after consultation with the faculty and in accordance with the pattern of departmental administration, a statement setting forth the criteria and procedures according to which recommendations are made concerning appointments and/or dismissals, salary adjustments, promotions in rank, and matters affecting the reappointment and tenure of the faculty. This statement shall be made available to all present and prospective members of the department or school, and a copy shall be deposited in the office of the dean of the college and in the office of academic affairs. At the beginning of each four-year term of the chair of a department or the director of a school, the members of the department or school, the office of the dean of the college, and the office of academic affairs shall receive either a revision or reaffirmation of the original statement.
  - (4) To operate the business of the department or school with efficiency and timeliness.



- (5) To plan with members of the faculty and the dean of the college the regular evaluation of the instructional and administrative processes and methods for their improvement, and to develop a plan for ensuring that students progress toward timely program completion.
- (6) To evaluate faculty members periodically in accordance with criteria approved by the board of trustees and subject to instructions from the executive vice president and provost, and also according to such supplemental criteria as may be set up by the department or school.
- (7) To inform faculty members when they receive their annual review of their right to review their primary personnel file maintained by their tenure initiating unit and to place in that file a response to any evaluation, comment or other material contained in the file.
- (8) To recommend to the dean of the college, after consultation with the faculty in accordance with paragraph (C)(3) of this rule, appointments, promotions, dismissals, and matters affecting the reappointment and tenure of members of the department or school faculty.
- (9) To encourage research and educational investigations.
- (10) To see that all faculty, regardless of their assigned location, are offered the departmental privileges and responsibilities appropriate to their rank
- (11) To lead in maintaining a high level of morale among faculty.
- (12) To see that adequate supervision and training are given to those members of the faculty and staff who may profit by such assistance.
- (13) To prepare (after consultation with faculty) annual budget recommendations for consideration by the dean of the college.
- (14) To promote improvement of instruction by providing for the evaluation of each course when offered, including written evaluation by students of the course and instructors, and periodic course review by the faculty.

(Board approval dates: 3/10/1966, 5/6/1977, 2/1/1980, 4/1/1983, 6/11/1986, 10/2/1987, 11/2/1990, 3/12/1993, 5/3/1996, 4/4/1997, 2/6/1998, 12/4/1998, 9/1/1999, 6/7/2005, 5/14/2010, 6/6/2014, 4/8/2016, 5/19/2022)

### **3335-3-36 Centers and institutes.**

#### **(A) Definition of an academic center (institute).**

An academic center is a non-degree granting educational unit of the university engaged in research; instruction; or clinical, outreach, or related service. An academic center is defined by its mission and scope, not its title, and may be described as a center, institute, laboratory, or similar term. Use of "center" or "institute" in the names of proposed units of the university shall be limited to academic centers, unless otherwise approved by the council on academic affairs. Academic centers are of two broad types: university centers and college centers.

University centers typically will have a substantial research/scholarship component to their mission, but also may be involved in instruction, and/or related service. Their internal funding (initial and continuing) is drawn fully, or in large part, from central university funds (e.g. office of the president, office of academic affairs, office of research). The leadership of the center will report to one or more of those offices.

College centers typically will have some mix, with variable emphases, of research/scholarship, instruction, service, clinical or outreach missions. Internal funding (initial and continuing) is drawn fully, or in large part, from one college or a small set of colleges. The leadership of the center will report to one dean or a small set of deans.

(B) Establishment, reporting, and oversight.

(1) Establishment of university centers

Proposals for university centers will be developed following the “guidelines for the establishment and review of academic centers” and submitted to the office of academic affairs for action.

The chair of the council on academic affairs (CAA), the executive vice president and provost’s designee to that council, and the chair of the university research committee (URC) will review the proposal to ensure adherence to the guidelines and determine if it includes a substantial research component.

If so, a “centers subcommittee” of the council, supplemented with membership from URC, will review the proposal and bring a recommendation for action to CAA. If a substantial research component does not exist, the special subcommittee of the council (without URC involvement) will review the proposal and bring a recommendation for action to CAA.

If approved by CAA, the proposal will be sent to the university senate for final approval. That action will be communicated to the board of trustees.

(2) Establishment of college centers.

Each college will have a template for the establishment and review of centers that will be included in the college pattern of administration. Copies of college templates also will be maintained in the office of academic affairs (OAA). Proposals will be developed with adherence to the template, and submitted to the dean(s) of the college(s).

No review/action by CAA is required. The dean(s) will inform the OAA of the establishment of such a center. OAA will inform CAA, resulting in official institutional notification.

The office of academic affairs shall maintain a register of all academic centers and appropriate records concerning each one.

(3) Curricula and faculty affiliation.

Although neither university nor college centers may establish independent course offerings and degree programs, they may participate in cooperative programs involving course offerings and degree programs within existing academic units. With the approval of the council on academic affairs, the faculty of a school or college may delegate to an academic center the authority to offer courses or degree programs established under the auspices of that school or college. Proposals for any such courses or programs must be forwarded to the office of academic affairs with the signature approval of the appropriate school or college which must retain ultimate authority and responsibility for the courses or degree programs.

University faculty and staff may affiliate with the academic center under procedures approved by its oversight committee. Academic centers shall not serve as tenure initiating units.



(4) Administration.

An academic center shall be administered by a director who shall be appointed by and report to the dean, relevant vice president(s) or deans of the pertinent college(s).

(5) Oversight.

Each university and college center shall have an oversight committee, at least two-thirds of whose members are tenure track faculty from the academic units involved in the center. The director shall consult regularly with the oversight committee.

The director of each academic center shall develop in conjunction with the oversight committee a pattern of administration for the center.

(6) Review process.

All university centers will be reviewed two years after initial establishment and at four-year intervals thereafter. The centers subcommittee of CAA will conduct the review following the "guidelines for the establishment and review of centers" and bring a recommendation for action to CAA. The range of actions include: continuation, conditional continuation with a follow-up in less than four years, and termination.

All college centers will be monitored through annual reports to the college dean(s). Should significant change to a center occur, or a decision be made to abolish a center, notification of that decision will be made to the office of academic affairs and through it to CAA.

(7) Previously established centers.

All existing academic centers established outside of this rule shall be reviewed under the requirements of this rule. Those not in compliance with the rule shall be allowed one additional year to make appropriate adjustments to allow for their continuation.

Note: the request of any established center seeking to move from one type to another must be reviewed and approved by CAA.

(C) Conditional use of the term "center."

Start-up centers are permitted. Following submission of a formal request by a vice president or dean and expedited review and approval by CAA, the term "center" may be used related to external or central funding possibilities. That action will be communicated directly to the board of trustees. Should funding not be secured within one year, the unit must request from CAA an extension of the use of the term. Once funding is secured, the appropriate process for establishment of a university or college center must be initiated within one year.

(Board approval dates: 9/8/1961, 6/4/1993, 8/1/1997, 12/4/1998, 6/7/2005, 6/6/2008, 2/01/2013, 5/19/2022)

**3335-3-37 Alteration or abolition of units.**

(A) Definitions.

- (1) The term unit refers to departments, schools and colleges.





- (2) For purposes of this rule, the term alteration shall refer to the consolidation or reconfiguration of units. Consolidation shall refer to the combining of two or more units, with little or no additional change. Reconfiguration shall refer to the breaking apart of existing units and their academic programs and recombining the faculty and programs into new units.
  - (3) For the purposes of this rule, the term abolition shall refer to the complete elimination of a unit and the academic programs it provided.
  - (4) Alteration or abolition described herein may be initiated without a declaration of financial exigency.
- (B) Procedure for alteration or abolition of departments and schools.
- (1) A proposal to alter or abolish a department or school may be initiated by any of the following:
    - (a) The dean of the college administratively responsible for the department(s) or school(s) for which alteration or abolition is proposed,
    - (b) The executive vice president and provost,
    - (c) The council on academic affairs, or
    - (d) Faculty from the affected unit(s).
  - (2) A proposal for alteration or abolition of a department or school must include an analysis with the following elements. It shall be the responsibility of the party making the proposal to provide this analysis.
    - (a) A rationale for alteration or abolition of the department(s) or school(s) which includes a history of the formation, activities and evaluation of the performance of the unit.
    - (b) An enumeration of all faculty affected by the alteration or abolition of the department(s) or school(s).
    - (c) A person-by-person analysis of the proposed reassignment or other accommodation of the faculty identified in paragraph (B)(2)(b) of this rule, including a statement of the impact on promotion and tenure. No tenured faculty member shall be involuntarily terminated as a result of this process. However, faculty may be transferred to another unit in accordance with paragraph (C)(2) of rule 3335-6-06 of the Administrative Code, also considering the teaching, research, and service expertise of the individual.
    - (d) An analysis of the academic courses now taught by the department(s) or school(s) and provisions for their reassignment to other department(s) or school(s), if relevant.
    - (e) An analysis of the students affected by the proposal, including majors, non-majors, professional and graduate students.
    - (f) Specific proposals regarding support for currently enrolled students until degree completion.
    - (g) An analysis of the budgetary consequences to all relevant department(s) or school(s) resulting from the proposal.





- (h) An analysis of the services lost to the rest of the university as a consequence of the proposal.
    - (i) An analysis of impact on constituencies external to the university, including alumni.
    - (j) An analysis of the impact on governance at all relevant levels as a consequence of the proposal.
    - (k) An analysis of the impact upon diversity.
    - (l) An analysis of the impact on the academic freedom and responsibility of all affected faculty.
  - (3) The proposal must be discussed with affected faculty, students, and staff, who may provide written and verbal feedback. The proposal may be modified by the proposal's initiator in response to feedback. Following a thorough consultative process with affected faculty, students, staff, and others as appropriate, the college faculty shall vote on the proposal. The proposal, along with the numerical vote of the college faculty, shall then be forwarded to the council on academic affairs.
  - (4) The proposal will be judged by the assessment parameters developed by the council on academic affairs and published in its guidelines. The council on academic affairs will review the proposal and will also evaluate the consultation process. It will then return the proposal to the initiator for additional work if the proposal or the consultation has been judged inadequate, or approve the proposal and send it to the university senate for consideration, or disapprove the proposal, which ends the process.
  - (5) If the council on academic affairs approves the proposal, a memorandum of understanding will be developed and signed by all relevant parties.
  - (6) The university senate shall vote on the proposal. If it approves the proposal, the recommendation shall be forwarded to the president. A negative vote ends the process.
  - (7) The president shall review the proposal. If in favor, the president will forward it to the board of trustees. If the board of trustees approves the proposal, then the executive vice president and provost will appoint an oversight committee to monitor the implementation of the process. The chair of faculty council or designee, the secretary of the university senate, one member of the committee on academic freedom and responsibility, and three members of faculty council shall be appointed to the oversight committee. The purpose of the oversight committee is to safeguard the interests of affected faculty, students, and staff. Through the chair of faculty council, the oversight committee will periodically report to the university senate, review and assess outcomes, suggest changes where targets are not being met, and assure that the memorandum of understanding is upheld. The oversight committee will present a final report to the senate.
- (C) Procedure for alteration or abolition of colleges.
- (1) The council on academic affairs, the executive vice president and provost, the dean, or faculty from the affected unit may initiate a proposal to alter or abolish a college.
  - (2) A proposal for alteration and abolition of a college must include an analysis of all of the elements outlined in paragraph (B)(2) of this rule. It shall be the responsibility of the party making the proposal to provide this analysis.



- (3) The council on academic affairs shall appoint an ad hoc committee to evaluate the proposal. The ad hoc committee shall have a majority comprised of tenure-track faculty. The charge to the ad hoc committee and the composition of that committee must be agreed upon by the council on academic affairs, the executive committee of faculty council, and the executive vice president and provost.

The ad hoc committee shall evaluate the proposal, which shall include extensive consultation with affected faculty, students, and staff, and relevant parties external to the university, as described in (B) (3) of this rule.

- (4) The recommendation of the ad hoc committee will be forwarded to the council on academic affairs and the executive vice president and provost.
- (5) Prior to accepting or rejecting the ad hoc committee's recommendation, the council on academic affairs will consult with faculty council and the executive vice president and provost. The faculty council response, including its vote, and a letter of recommendation from the executive vice president and provost shall be considered by the council on academic affairs. The council on academic affairs will then either terminate the process or forward its positive recommendation to the university senate.
- (6) If the council on academic affairs approves the proposal, a memorandum of understanding will be developed and signed by all relevant parties.
- (7) The university senate shall vote on the proposal. If it approves the proposal, the recommendation shall be forwarded to the president. A negative vote ends the process.
- (8) The president shall review the proposal. If in favor, the president shall forward it to the board of trustees. If the board of trustees approves the proposal, then the executive vice president and provost will appoint an oversight committee to monitor the implementation of the process. The chair of faculty council or designee; the secretary of the university senate, one member of the committee on academic freedom and responsibility, and three members of faculty council shall be appointed to the oversight committee. The purpose of the oversight committee is to safeguard the interests of affected faculty, students, and staff. Through the chair of faculty council, the oversight committee will periodically report to the university senate, review and assess outcomes, suggest changes where targets are not being met, and assure that the memorandum of understanding is upheld. The oversight committee will present a final report to the senate within one year of implementation.

(Board approval dates: 6/1/2001, 6/4/2004, 5/14/2010, 6/6/2014, 5/19/2022)

## **Chapter 3335-5 Faculty, Governance, and Committees**

### **3335-5-01 Academic freedom and responsibility.**

- (A) The Ohio state university endorses full academic freedom as essential to attain the goal of the free search for truth and its free exposition. Academic freedom and academic responsibility are twin guardians of the integrity of institutions of higher learning. This integrity is essential to the preservation of a free society and explains the willingness of society historically to accept the concept of academic freedom and, in addition, to protect it through the institution of academic tenure.
- (B) The principal elements of academic freedom include the freedom of faculty to:



- (1) Teach, conduct research, and publish research findings;
  - (2) Discuss in classrooms, in their own manner, any material that is relevant to the subject matter as defined in the course syllabus;
  - (3) Exercise their constitutional rights as citizens without institutional censorship or discipline;
  - (4) Seek changes in academic and institutional policies through lawful and peaceful means.
- (C) Academic freedom carries with it correlative academic responsibilities. The principal elements include the responsibility of faculty to:
- (1) Meet their defined teaching, research, and service obligations;
  - (2) Pursue excellence, intellectual honesty, and objectivity in teaching, in conducting research, and in publishing research findings;
  - (3) Encourage students and colleagues to engage in free discussion and inquiry;
  - (4) Evaluate student and colleague performance on a scholarly basis;
  - (5) Refrain from persistently introducing matters that have no bearing on the subject matter of the course;
  - (6) Work with appropriate individuals and bodies to provide optimal conditions conducive to the attainment of the free search for truth and its free exposition;
  - (7) Differentiate carefully between official activities as faculty and personal activities as citizens, and to act accordingly.

(Board approval dates: 9/14/1965, 5/2/1975, 3/1/1985, 6/7/2013)

**3335-5-02 Appointments and continuing employment; conditions upon.**

- (A) Upon nomination and recommendation by the president of the university, the board of trustees shall make all appointments to all positions within the university and approve the salaries therefor.
- (B) In defense of the freedom of those who teach and those who learn, and of the governmental system upon which such freedom is dependent, the conditions hereinafter set forth shall govern all initial appointments and continuing employment by the university.
- (C) It shall be sufficient cause for the removal of any officer, faculty or employee of the university, pursuant to the procedures set forth in rule 3335-5-04 of the Administrative Code, that such officer, faculty, or employee advocate, or have membership in an organization which is generally known to advocate the overthrow of the government of the United States, or of the state of Ohio, by force, violence or other unlawful means. (Reference is made to the provisions of section 124.36 of the Revised Code.)

(Board approval dates: 10/22/1984, 4/19/1985, 5/20/1996, 6/7/2013)

**3335-5-02.1 Financial exigency.**



- (A) Definition. "Financial exigency" is an imminent financial crisis which seriously jeopardizes the ability of the university as a whole to survive as an institution of excellence in teaching, research, and public service. Projections of enrollment, of instructional subsidies, and of other sources of revenues must demonstrate that the shortage of funds will be both severe and persistent and cannot be alleviated by temporary or voluntary measures, as specified in paragraph (B)(2) of this rule.
- (B) Mechanism of determination.
  - (1) In the event of an imminent financial crisis, as announced and defined by the president to the university senate, the president will solicit the recommendations of the fiscal committee, as provided for under rule 3335-5-48.11 of the Administrative Code, to ascertain whether a determination of financial exigency is warranted.
  - (2) The fiscal committee, acting in accordance with rule 3335-5-48.11 of the Administrative Code, shall have the responsibility to:
    - (a) Review the budgetary documentation of the crisis, having full access to that documentation.
    - (b) Assess whether the crisis would reduce the quality of the academic programs of the university as a whole to an unacceptable degree and would render the university unable to meet its obligations to the public.
    - (c) Ascertain the extent to which consolidation or elimination of some administrative offices and services or reductions in operating and equipment budgets would alleviate the crisis.
    - (d) Ascertain the extent to which voluntary retrenchment mechanisms, including early retirement or resignation or other economic incentive plans, would alleviate the crisis.
    - (e) Make a recommendation based upon the above considerations of the need for a determination of financial exigency.
    - (f) Report the results of its deliberations to the university senate.
    - (g) Monitor the financial condition of the university during a state of financial exigency.
  - (3) Upon receipt of the report of the fiscal committee, the university senate shall make its recommendations as to whether there should be a determination of financial exigency.
  - (4) Upon receipt of the recommendations of the fiscal committee and the university senate, the president will notify the university community and the university senate of the administration's analysis and proposed response to the financial situation, allowing an opportunity to respond to questions and to solicit advice and opinions.
  - (5) In the event that the recommendations of the university senate and the president differ substantially on recommending determination of financial exigency to the board of trustees, recommendations of both shall be forwarded to the board, which has final responsibility for the determination of financial exigency. No further establishment of financial exigency will be required for one year at which time the full procedures must be invoked again.
- (C) Review of administration proposals for alleviating financial exigency.



- (1) Upon determination of a state of financial exigency and upon receipt from the executive vice president and provost of proposals, prepared in consultation with the college faculties, for curtailment of academic programs to alleviate financial exigency, the council on academic affairs shall review the proposals.
- (2) For the purpose of this review, the council is to be an advisory committee to the president and is to report the results of its review both to the president and to the university senate.
- (3) For this review, the council shall be chaired by a tenured faculty member of the council. If neither the chair nor the vice chair of the council is a tenured faculty member of the council, then a tenured faculty member of the council shall be elected to act as chair of the council for the review of these proposals and for the submission of results to the president and to the university senate.
- (4) In the conduct of its review, the council is authorized to:
  - (a) Obtain explanations of the proposals or provisions thereof;
  - (b) Request or initiate changes in the proposals and seek concurrence of appropriate administrators. In the event of non-concurrence, the council will note any points of disagreement.
- (5) All proposals are to be reviewed both individually and as a coordinated set.
- (6) In the review, the council shall:
  - (a) Consider alternatives to those proposals which would result in involuntary termination of tenured faculty members or tenure track faculty members in the probationary period;
  - (b) Determine that the proposals are consistent with established educational and academic policies of the university;
  - (c) Determine that there has been appropriate consultation with administrators, faculty, and students in the preparation of the proposals;
  - (d) Determine the extent to which the proposals affect the affirmative action commitment of the university;
  - (e) Determine that the proposals consider the effect upon students whose faculty advisers are reassigned or terminated and students whose field of study would be eliminated;
  - (f) Determine that the reassignment, economic incentive, and retraining provisions under rule 3335-5-02.2 of the Administrative Code have been considered;
  - (g) Determine that the proposals take into account the quality of relevant programs.
- (7) The council shall conduct a hearing or hearings at which appropriate administrators, faculty members, and students are invited to testify.
- (8) Within sixty days of the receipt of the proposals or such time as the president may designate, the council shall submit its report to the president and the university senate.

- (D) Ending a state of financial exigency. A state of financial exigency ends one year after determination, unless ended sooner by the board of trustees.

(Board approval dates: 10/1/1982, 5/1/1986, 11/2/1990, 5/3/1996, 6/6/1997, 12/4/1998, 5/13/1999, 6/7/2013)

**3335-5-02.2 Treatment of tenured faculty members during financial exigency.**

- (A) Definitions and construction.

- (1) Academic program or program means:

- (a) A college, school, department, division, or instructional unit headed by an academic administrator;
- (b) A research or service unit, which may or may not educate students headed by an academic administrator;
- (c) A coherent set of courses, or program of study, which leads to an academic degree; or
- (d) A coherent set of courses, or program of study, which does not lead to an academic degree but which serves to educate or train students (e.g., a professional certification program or a remedial program).

- (2) Curtailed means reduced or eliminated, while preserved means not eliminated.

- (3) Tenured faculty member means a tenured member of the tenure-track faculty.

- (4) Tenure initiating unit (TIU) means the specific academic unit responsible for making the initial recommendation on a tenure-track faculty member's tenure status as recorded on the university tenure audit list available at the office of academic affairs. For purposes of this definition, the university tenure audit list of March 12, 1982, shall be retained, except as subsequently modified in accord with paragraph (C) of rule 3335-5-14 of the Administrative Code.

- (B) Involuntary termination of tenured faculty.

- (1) Hiring of faculty during financial exigency. The university shall not appoint new faculty while terminating tenured faculty appointments because of financial exigency unless a serious distortion in academic programs would otherwise result.
- (2) Preservation of tenure initiating unit. A tenured faculty member whose TIU is preserved shall not be involuntarily terminated because of the curtailment of academic programs to which the faculty member is assigned.
- (3) Administrative restructuring of tenure initiating unit. A tenured faculty member whose TIU is restructured by an administrative reorganization (e.g., by consolidation or merger with other TIU's, or by dispersal into several TIU's) shall not be involuntarily terminated for that reason. The faculty member shall be transferred to the appropriate reorganized TIU in accordance with the provisions of paragraph (C)(4) of this rule.



- (4) Reinstitution of tenure initiating unit. If an eliminated TIU is substantively reinstituted or established within a remaining TIU within three years, the university shall offer to reappoint all terminated tenured faculty members at their previous ranks.
  - (5) Elimination of tenure initiating unit. A tenured faculty member whose TIU is scheduled for elimination shall not be involuntarily terminated for that reason until the reassignment provision of paragraph (C) of this rule and the economic incentives of paragraph (D) of this rule have been offered to all eligible faculty members in the TIU.
  - (6) Notice of termination. A termination of appointment because of the elimination of a tenure initiating unit shall become effective no sooner than June thirty of the first full academic year following the academic year in which the appointment is terminated.
  - (7) Eligibility for termination compensation. A tenured faculty member who has been involuntarily terminated because of the elimination of their tenure initiating unit shall be entitled to accrued benefits and such compensation as authorized by the board of trustees.
- (C) Reassignment of tenured faculty members.
- (1) Change of tenure initiating unit. If a tenured faculty member's TIU is scheduled for elimination, then the university shall offer to transfer the faculty member to any suitable authorized position in the remaining TIU's provided that a simple majority of all tenured faculty in a TIU are willing to accept the faculty member. The evaluation of the professional qualifications of the faculty member shall be made by the faculty in the new TIU, based on considerations of the faculty member's potential contributions to the needs of the program according to the prevailing standards of the new TIU.
  - (2) Reassignment to new position. A tenured faculty member whose tenure initiating unit is scheduled for elimination shall not be reassigned to another position unless that reassignment includes a change of TIU and retention of tenure. This requirement shall not preclude the possibility of employing in a non-faculty position a faculty member who has lost tenure because of resignation or involuntary termination. A faculty member shall not be obligated to accept an offer of reassignment.
  - (3) Eligibility for economic incentives. A tenured faculty member who accepts an offer of reassignment according to the provisions of paragraphs (C)(1) and (C)(2) of this rule and who voluntarily resigns from the reassigned position within six months, shall be entitled to any of the economic provisions of paragraph (D) of this rule that were applicable at the time of reassignment.
  - (4) Rate of compensation. Reassignment of a tenured faculty member to a different tenure initiating unit shall not be at a reduced rate of compensation. If reassignment necessitates a change of compensation base (e.g., conversion between nine-month and eleven-month appointments) then the change shall be calculated according to standard university accounting procedures.
  - (5) Displacement of other employees. A tenured faculty member who is reassigned to a new tenure initiating unit shall not displace an incumbent in an existing position (e.g., a tenured faculty member in a program which is curtailed shall not be assigned to a position in another TIU held by an untenured faculty member, or to a position held by an administrative and professional employee).



- (6) Retraining of faculty. Where reassignment of a tenured faculty member according to the provisions of paragraphs (B)(1), (C)(1), or (C)(2) of this rule would be facilitated by or contingent upon a period of retraining, the faculty member shall be eligible for a reassignment training leave.

(D) Economic incentives and retraining programs.

- (1) Early retirement program. The university shall invoke the provisions of the Ohio state university early retirement program to facilitate the voluntary reduction of tenured faculty members in a curtailed academic program.
- (2) Reassignment training leave program. The university shall invoke the provisions of a reassignment training leave program to facilitate reassignment of tenured faculty members to other programs or tenure initiating units.
- (3) Other programs. The university shall invoke any other feasible methods to reduce by voluntary means the number of tenured faculty members in a curtailed academic program. Such methods could include a voluntary resignation program (e.g., a "buy-out" plan), among other possibilities.

(Board approval dates: 10/1/1982, 4/3/1996, 6/6/2014)

**3335-5-02.3 Appeal procedures for tenured faculty because of termination of appointments during financial exigency.**

(A) Scope and construction.

- (1) A tenured faculty member who has received a notice of termination because of financial exigency shall have the right to a hearing before a faculty hearing panel.
- (2) The responsibility for presenting the formal appeal and for responding to the hearing panel's requirements at all stages rests with the faculty member bringing the complaint ("the complainant").
- (3) The determination of financial exigency or the decision to eliminate a tenure initiating unit shall not constitute grounds for an appeal.
- (4) An appeal may be made only on the basis of a complaint over the interpretation or implementation of paragraphs (B) to (D) of rule 3335-5-02.2 of the Administrative Code. In considering complaints over implementation of the aforementioned rules, the hearing panel shall consider only whether those individuals making the decisions followed the appropriate procedures and considered the important evidence material to a fair determination.

(B) The faculty hearing committee.

- (1) Written notice of intention to appeal shall be given by the complainant within thirty days of the receipt of a termination notice. An additional thirty days will be allowed for the complainant to submit the formal appeal. The notice of intention to appeal and the formal appeal will be submitted to the executive vice president and provost and to the chair of the faculty hearing committee.
- (2) In response to each notice of intention to appeal, the faculty hearing committee shall select a hearing panel of tenured faculty members according to the provisions of rule 3335-5-48.10





of the Administrative Code. The hearing panel shall begin its review of the case not earlier than thirty days and no later than sixty days from receipt of the notice of intention to appeal, except by mutual consent of the complainant and the chair of the faculty hearing committee.

- (3) The hearing panel shall conduct an investigatory proceeding in accordance with the following provisions:
    - (a) The proceeding shall not be adversarial in nature. The proceeding shall be an investigation leading to a report on whether or not those individuals making the decision followed the appropriate procedures and considered the important evidence material to a fair determination.
    - (b) The complainant shall have the right to be present at any hearing before the panel where testimony is taken concerning the complainant's case and to bring an adviser. No formal transcript of the hearing need be made unless requested by the complainant.
    - (c) The complainant shall state the case in writing and shall have the opportunity to present the case in person to the hearing panel and to offer any evidence in support of the claim.
    - (d) The person or persons responsible for the decision may be called upon by the hearing panel to demonstrate that the important and material evidence was considered.
  - (4) At the conclusion of the hearing, the hearing panel shall either dismiss the complaint or support the complaint. In either case, the panel shall record its findings in writing, providing specific responses to each charge made by the complainant, summarizing the evidence and rationale which led the panel to its decision. These findings shall be reported to the administrative officer of the tenure initiating unit, to the dean of the college in which the complainant is a member, to the executive vice president and provost, and to the complainant.
  - (5) The hearing panel shall recommend to the executive vice president and provost and to the president either that the complaint be dismissed or that corrective action be taken.
  - (6) Within thirty days of the receipt of the panel's decision, the executive vice president and provost shall respond in writing to the hearing panel and to the complainant stating what action has been recommended and the reasons therefor.
  - (7) All written documents and recorded testimony obtained by the hearing panel shall be made available to the complainant upon request.
- (C) The president.
- (1) After receipt of the hearing panel's recommendations under paragraph (B)(5) of this rule, and the executive vice president and provost's recommendations under paragraph (B)(6) of this rule, the president shall review the matter and take whatever action is deemed appropriate.
  - (2) All decisions of the president under this procedure shall be provided in writing to the hearing panel, the executive vice president and provost, and the complainant.

(Board approval dates: 10/1/1982, 6/7/1984, 5/1/1986, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998)

**3335-5-03 Appointment of faculty and staff; tenure.**

- (A) The board of trustees shall appoint the president and all employees of the university not in the classified civil service, subject to the laws of the state of Ohio, and in the case of tenure-track faculty, to the rights and protection of tenure as provided for in these rules.
- (B) Tenure is a commitment by the university and may be earned by all individuals with tenure-track faculty status subject to successful completion of a probationary period. Tenure-track faculty status is defined in rule 3335-5-19 of the Administrative Code.
- (C) The protections of tenure and academic freedom extend to all levels of faculty responsibility within the university in accordance with rule 3335-5-01 of the Administrative Code and are not restricted to activities identified with specific instructional, research or public service programs.
- (D) Tenure is lost only by formal resignation, by voluntary reduction of appointment below fifty per cent of service to the university except in the case of an approved leave of absence, by retirement, by voluntary transfer to clinical/teaching/practice, research, or associated faculty status, or may be terminated in accordance with rule 3335-5-04 of the Administrative Code, or under the conditions of financial exigency, as specified in rule 3335-5-02.1 of the Administrative Code.
- (E) Tenured members of the faculty who serve the university as administrators do not lose tenure by virtue of being administrators.

(Board approval dates: 8/1/1997, 6/7/2005, 6/6/2014, 5/31/2019, 5/16/2024)

**3335-5-04 Procedures for complaints of failure to meet academic responsibilities, post-tenure review, and misconduct made against faculty members.**

- (A) This rule shall apply to all formal complaints of failure to meet academic responsibilities, post-tenure review, and misconduct against faculty members as defined in rule 3335-5-19(A) and (B). Complaints may be filed under this rule against any individual with a faculty appointment, including administrators who hold such appointments.
  - (1) Complaints about the performance of administrators in their administrative capacity must be brought pursuant to applicable rules or policies for those administrative positions; all complaints against administrators who hold faculty appointments relating to the violation of applicable law, university policies or rules, or unit governance documents (other than those related to the performance of the administrator's duties) must be brought under this rule.
- (B) Complaints shall proceed under the general procedures set forth in this rule and the specific procedures set forth in the following four subsections based on the nature of the allegations.
  - (1) Complaints involving allegations of failure to meet academic responsibilities, complaints arising from the investigatory process set forth in the Campus Free Speech policy, and complaints arising from the DEI, Intellectual Diversity, and Controversial Beliefs Under the Advance Ohio Higher Education Act policy shall proceed under rule 3335-5-04.1. A faculty member may be disciplined under this rule and may be terminated if the conduct constitutes serious failure to meet academic responsibilities for violations established under rule 3335-5-04.1(A) or a violation of the Campus Free Speech policy or the DEI, Intellectual Diversity, and Controversial Beliefs Under the Advance Ohio Higher Education Act policy.

- (2) Complaints involving allegations of research misconduct shall proceed under rule 3335-5-04.2. A faculty member may be disciplined up to and including termination for violations established under this rule.
  - (3) Complaints involving allegations of sexual misconduct, workplace violence, whistleblower retaliation, discrimination, harassment, and retaliation based on protected status shall proceed under rule 3335-5-04.3. A faculty member may be disciplined up to and including termination for violations established under this rule.
  - (4) Complaints involving allegations of violations of applicable law, university policies or rules, or unit governance documents shall proceed under rule 3335-5-04.4, unless they fall under rules 3335-5-04.1, 3335-5-04.2 or 3335-5-04.3. A faculty member may be disciplined under this rule, and may be terminated if the conduct constitutes grave misconduct or non-trivial financial fraud for violations established under rule 3335-5-04.4(A)(1)–(2).
  - (5) Complaints arising out of the post-tenure review process set forth in section 3345.453 of the Revised Code and the Faculty Annual Review, Post-Tenure Review, and Reappointment policy shall proceed under rule 3335-5-04.5. A faculty member may be disciplined up to and including termination for violations established under this rule.
- (C) Conflicts:
- (1) No administrator may act in their administrative capacity in the consideration of any complaint naming them as respondent. If a complaint names a department chair, school director, or a dean as respondent, the executive vice president and provost (hereinafter “provost”) shall appoint an equivalent rank administrator from another department or college to perform the responsibilities of the named official under this rule. If a complaint names the provost as respondent, the president shall appoint an individual to perform the responsibilities of the provost. If a complaint names the president as respondent, the Board of Trustees shall appoint an individual to perform the responsibilities of the president.
  - (2) If any individual with responsibilities under this rule has a conflict of interest with a complainant or respondent, such that the individual stands to benefit personally or incur personal harm depending on the outcome, or otherwise has a relationship with the faculty member against whom the complaint is made (hereafter “respondent”) that creates a bias, or otherwise could not fairly and impartially perform those responsibilities, the individual shall not participate in this process, and a replacement shall be named in accordance with Section (C)(1) of this rule. In the event that a member of an investigation or sanctioning committee has such a conflict, that individual shall be replaced in accordance with the applicable procedures for that committee.
- (D) If the provost determines that a faculty member’s presence on campus is detrimental to the safety and well-being of the university community or university property, the provost may reassign the faculty member off campus with pay pending completion of the process set forth in this rule.
- (E) At each step of the process, individuals with responsibilities under this rule may use informal dispute resolution to resolve the complaint to their satisfaction as well as that of the complainant and the respondent in accordance with applicable policy. The appropriateness of an informal resolution in any case will depend on the circumstances of each particular case. All such resolutions must be reported to the Office of Academic Affairs for review and approval before being finalized. In addition, reports must be made to the Office of Research (for proceedings under Faculty Rule 3335-5-04.2), or the Office of Institutional Equity or Office of Human Resources (for proceedings under Faculty Rule 3335-5-04.3) as may be applicable.

- (F) Complainants and respondents may expressly or implicitly relinquish their rights to participate in any step of this process, including but not limited to by failing to respond to reasonable attempts to schedule required meetings, or by failing to appear for scheduled sessions. If a complainant or respondent relinquishes their rights of participation at any step, that relinquishment does not prevent that individual from exercising any rights that may be applicable at any other step of the process. To the extent not specified in this rule, complainants and respondents shall be entitled to all rights required by state and federal law that are applicable to these proceedings.
- (G) All records of proceedings under this rule shall be maintained by the Office of Academic Affairs. Such records shall be afforded the same privacy and confidentiality afforded to comparable records of other university employees, subject to public records laws and other disclosures within and external to the university in accordance with applicable law and the need to know such information to support university operations.
- (H) The term “day” as used in this rule means “calendar day.” If the last day of a designated time period falls on a weekend or a day on which the university is closed, the time period shall expire at the close of business on the next succeeding business day.
- (I) Complainants and respondents shall be given written notice of decisions required by this rule. Any notice shall be sent by certified mail and by email. The time period for any action to be taken after delivery of the notice shall begin to run on the date on which the notice is mailed.
- (J) At each step of the process set forth in this rule, complainants and respondents may be accompanied by one support person of their choosing (including but not limited to personal legal counsel). Except as otherwise provided in rules 3335-5-04.1 through 3335-5-04.4 of the Administrative Code, though, such individual shall only be entitled to appear with the respondent and shall not be entitled to participate in or delay the process in any way.
- (K) The timelines set forth in this rule and in rules 3335-5-04.1 through 3335-5-04.4 are mandatory. However, the provost or designee may grant defined extensions of any time period on an as-needed basis upon written request. The timelines set forth in rule 3334-5-05 are mandatory, and the president shall hold sole authority to grant a single, two-month extension to complete the review process.
- (L) Should a faculty member facing a complaint under this rule resign or retire from their university employment while a complaint is pending, the provost may elect in their discretion to pause the proceedings under this rule once that resignation or retirement becomes effective. If such proceedings are paused, they will resume immediately should the faculty member return to university employment at any point. However, the provost may not pause complaints of research misconduct brought under rule 3335-5-04.2 or of sexual misconduct, workplace violence, whistleblower retaliation, discrimination, harassment, and retaliation based on protected status brought under rule 3335-5-04.3 unless an investigation has been completed and a violation has been found under those processes and the only remaining issue is what sanction to impose for such violations.

(Board approval dates: 4/4/1997, 12/4/1998, 2/4/2000, 6/7/2005, 7/8/2005, 9/9/2011, 6/7/2013, 6/5/2015, 8/6/2020, 2/25/2021, 5/16/2024, 8/20/2025)

#### **3335-5-04.1 Procedures for complaints of failure to meet academic responsibilities.**

- (A) This rule applies to complaints made against faculty members involving their failure to meet academic responsibilities as defined in rule 3335-5-01(C) as well as complaints arising from the investigatory process set forth in the Campus Free Speech policy and the DEI, Intellectual

Diversity, and Controversial Beliefs Under the Advance Ohio Higher Education Act policy. A faculty member may be disciplined for violations established under this rule, and may be disciplined up to and including termination for serious failure to meet academic responsibilities or violations of the Campus Free Speech policy or the DEI, Intellectual Diversity, and Controversial Beliefs Under the Advance Ohio Higher Education Act policy. For the purposes of this rule “serious failure to meet academic responsibilities” is defined as conduct that reflects gross indifference or consistent failure to satisfactorily perform the academic responsibilities set forth in paragraph (C) of rule 3335-5-01 of the Administrative Code. If complaints against a faculty member are brought concurrently under both 3335-5-04.1 and 3335-5-04.4, those complaints may be consolidated into one proceeding, retaining the relevant evidentiary standard for each complaint.

(B) Initial proceedings.

- (1) A complaint may be filed by any student or university employee, including employees from administrative offices who are filing complaints arising out of investigations by those offices. Complaints may be filed with a chair, dean, associate dean, provost, vice provost for faculty affairs (hereinafter “vice provost”), or the president. All complaints must be referred to the vice provost for initial review in accordance with this rule.
- (2) The complaint shall be set forth in writing and shall state facts to support an allegation that a faculty member has failed to meet their academic responsibilities.
  - i. The vice provost shall review every complaint to determine whether the complaint presents an actionable violation and is not clearly retaliatory or abusive in nature. Further, the vice provost shall determine whether the allegations in the complaint relate directly to research compliance and indicate this determination to the department chair conducting the probable cause review. Research compliance refers to the adherence to applicable laws, regulations, ethical standards, institutional policies, and sponsor requirements governing the responsible conduct of research activities. If the vice provost is named as a respondent, the provost shall identify a designee. If the vice provost determines that a complaint either does not allege a violation that can be addressed under this rule or was filed for clearly retaliatory or abusive purposes, the vice provost must consult with the complainant within seven days of filing to clarify the nature of the complaint. The vice provost may dismiss such a complaint within seven days of consulting with the complainant if it cannot be addressed under this rule or is clearly retaliatory or abusive in nature. This determination does not prohibit referral of a complaint filed under this rule to another applicable university process.
    1. The complainant may appeal this dismissal in writing to the provost within seven days of this decision. Upon receiving such an appeal, the provost may either reinstate the complaint or dismiss it, and that decision is final. The provost must issue a decision within fourteen days of receiving such an appeal.
  - ii. If the vice provost determines that the complaint should proceed or if the complaint is reinstated by the provost, the vice provost shall furnish a copy of the complaint to the respondent and shall refer it to the respondent’s department chair for a probable cause review in accordance with section (C) of this rule.
    1. If the faculty member’s department chair is the complainant or



respondent, the complaint shall be referred to the faculty member's dean for the initial probable cause review.

2. For the purposes of this provision, the term "department chair" shall include school directors and deans of colleges without departments. For regional campus faculty, the campus dean and director shall serve as department chair for the probable cause review. If the complaint is filed by the regional campus dean or director, the college dean shall serve as the regional campus dean and director for the probable cause review.
- (3) Only allegations stated in the complaint shall be considered at the various stages of deliberation. However, additional facts relevant to the allegations set forth in the complaint may be presented throughout the process.

(C) Probable cause review.

- (1) The department chair shall review the allegations in the complaint and discuss the matter with the complainant and the respondent to determine whether there is probable cause to believe that the allegations are true. The department chair may have another administrator present in discussions with the complainant and respondent as they evaluate probable cause.
- (2) If the department chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint.
  - i. If the complaint is dismissed, the complainant may appeal the dismissal to the dean. The appeal must be in writing and filed with the dean within twenty-one days after the notice of the chair's decision was mailed. Upon receiving such an appeal, the dean may either reinstate the complaint and refer it as described in paragraph (C)(3) of this rule or dismiss it, and such a dismissal is final. The dean must issue a decision within thirty days after receiving such an appeal.
- (3) If the department chair determines that there is probable cause to believe that the allegations are true, the department chair shall refer the matter for an investigation unless the department chair completes an informal resolution in accordance with rule 3335-5-04(E). If the vice provost determines that the allegations in the complaint relate directly to research compliance, the investigation shall be referred to the research integrity standing committee. This committee is described in paragraph (C) of rule 3335-5-04.2 of the Administrative Code and will serve to investigate the complaint in accordance with paragraph (D) of this rule. If the allegations do not relate directly to research compliance, the investigation shall be referred to the college investigation and sanctioning committee.
- (4) The department chair shall complete this process within fourteen days.

(D) Investigation and sanctioning.

- (1) Each college shall appoint a college investigation and sanctioning committee, which shall fulfill the responsibilities set forth in this section. The college investigation and sanctioning committee shall be all tenured faculty or a majority of tenured faculty if



including clinical/teaching/practice faculty who are non-probationary associate professors or professors. A college may include faculty members from other colleges on its committee. In instances in which the vice provost has determined that the allegations in the complaint relate directly to research compliance, the research integrity standing committee shall fulfill the responsibilities set forth in this section.

- (2) Upon receipt of a referral of a complaint from the department chair, the committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation. The committee shall have the authority to gather information relevant to the complaint, including by interviewing individuals other than the complainant and respondent as the committee sees fit or as recommended by the complainant or respondent. The committee shall strive to maintain confidentiality in the proceedings.
- (3) At the conclusion of the investigation, the committee shall prepare a preliminary report that identifies the proposed findings of fact, a conclusion as to whether a violation occurred under the clear and convincing evidence standard, and if so whether the conduct rose to the level of serious failure to meet faculty obligations as defined in rule 3335-5-04.1(A). The committee shall provide that document to both the complainant and respondent for review. Each party shall have seven days to respond and to identify any alleged errors or omissions in the findings.
- (4) Following review of any comments by the parties, the committee shall thereafter make any modifications to the report that it deems appropriate and issue a final report. If the committee concludes that a violation occurred, the committee shall include its proposed sanction in the final report.
- (5) In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
  - i. Aggravating factors may include, but are not limited to:
    - a. the significance and impact of the faculty member's failure to meet academic responsibilities if serious failure is found or of their violation of the Campus Free Speech policy;
    - b. the strength of the evidence presented;
    - c. whether the respondent has previously been found to have engaged in misconduct;
    - d. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
    - e. whether the respondent had received prior warnings about engaging in the conduct at issue.
  - ii. Mitigating factors may include, but are not limited to:
    - a. the conduct at issue did not cause injury or harm to





another individual, university property, or the university's reputation; and

- b. the respondent accepted responsibility for the misconduct.

- (6) The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:

- i. Verbal reprimand;
- ii. Written reprimand;
- iii. Mandatory training and professional development or other rehabilitation;
- iv. Restrictions on duties or privileges;
- v. Restriction of access to university property or services;
- vi. Reduction of salary base;
- vii. Reduction of twelve-month appointment to nine-month appointment;
- viii. Reduction of full-time equivalent (FTE) appointment;
- ix. Reduction of rank;
- x. Revocation of tenure;
- xi. Termination of employment due to serious failure to meet faculty obligations.

- (7) The committee shall complete its investigation and submit its report to the respondent's dean within forty-five days.

(E) Decision by the dean.

- (1) After reviewing the report and recommendation of the college investigation and sanctioning committee or the research integrity standing committee, the dean may:
  - i. Dismiss the complaint if the committee did not find a violation;
  - ii. Impose the committee's proposed sanction;





- iii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
    - iv. Increase the sanction if the committee determined that the respondent engaged in a serious failure to meet faculty obligations.
  - (2) The dean shall make a decision in twenty-one days. The final investigation report and the dean's decision shall be sent to the complainant and the respondent.
  - (3) Appeals:
    - i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training, but a respondent may place a response to this sanction in their primary personnel file.
    - ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost.
    - iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
    - iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.
- (F) Review of appeals by the provost.
  - (1) After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
    - i. Affirm the dean's sanction;
    - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
    - iii. Increase the sanction; or
    - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
  - (2) The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.



- (3) If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(6)(vii) through (xi) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
  - (4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed.
- (G) The faculty hearing committee.
- (1) Within fourteen days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the appeal and to provide a recommendation to the president regarding the appropriate action. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
  - (2) The parties to this hearing shall be the respondent and the provost, or designee.
  - (3) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
  - (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
  - (5) Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
  - (6) The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
  - (7) The hearing panel will not be bound by the findings of the college investigation and sanctioning committee or the provost.
  - (8) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
  - (9) At the conclusion of the proceedings, the hearing panel shall make written conclusions with respect to each substantive issue raised, including but not limited to:
    - i. appropriateness of the sanction, and, if found to be inappropriate, the faculty hearing committee's recommended sanction in accordance with the factors set forth in section (D)(5) of this rule.
    - ii. conflict of interest, procedural error, or substantial new evidence.

iii. findings of the college investigation committee.

(10) The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.

(H) The president.

(1) Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:

- i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
- ii. Recommend to the board of trustees termination of employment for cases of serious failure to meet faculty obligations or a violation of the Campus Free Speech policy on such terms and conditions as the president may deem advisable;
- iii. Remand the case to the hearing panel for reconsideration; or
- iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step as appropriate.

(2) The president's decision on all sanctions less than termination of employment is final.

(3) Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.

(4) The president shall make a decision within thirty days.

(I) Board of trustees.

(1) The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

(Board approval dates: 2/25/2021, 5/16/2024, 8/20/2025, 12/4/2025)

**3335-5-04.2 Procedures for complaints of research misconduct made against faculty members.**

- (A) This rule applies to complaints involving research misconduct made against faculty members. A faculty member may be disciplined up to and including termination for violations established under this rule. Research misconduct is defined in rule 3335-13- 08 and the Research Misconduct policy.
- (B) Preliminary assessment and inquiry.
- (1) Complaints alleging research misconduct must be filed with or referred to the Office of Research.
  - (2) The Office of Research shall ensure that a preliminary assessment is performed in accordance with the Research Misconduct policy to determine whether the complaint alleges research misconduct as defined in the policy and is sufficiently credible and specific so that research misconduct may be identified.
  - (3) If the preliminary assessment concludes that the allegations in the complaint meet the definition of research misconduct and are sufficiently credible and specific so that potential evidence of research misconduct may be identified, the Office of Research shall proceed to an inquiry review in accordance with the Research Misconduct policy to determine whether the allegations have sufficient substance to warrant an investigation.
  - (4) If the inquiry concludes that the allegations have sufficient substance and that an investigation is warranted in accordance with the Research Misconduct policy, an investigation shall be initiated as set forth in section (C) of this rule. All other procedural steps, including but not limited to appeals, shall be performed in accordance with the Research Misconduct policy.
  - (5) In both the preliminary assessment and inquiry steps, complainants and respondents shall be afforded procedural rights, including but not limited to the rights to review documentary evidence, submit evidence, be accompanied by an advisor, review and file a written response to reports, and make appeals, as specifically defined in the Research Misconduct policy.
- (C) Investigation and sanctioning.
- (1) If a complaint is referred for investigation, the Office of Research shall convene an investigation and sanctioning committee consisting of a minimum of three voting members from the Research Integrity Standing Committee in accordance with the Research Misconduct policy.
  - (2) The committee shall examine all the documentation and conduct formal interviews, when possible, of the respondent, the complainant, and others who may have information relevant to the complaint, but shall strive to maintain the confidentiality of the proceedings.
  - (3) The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation.
  - (4) At the conclusion of the investigation, the committee shall prepare a preliminary report in accordance with this rule and the Research Misconduct policy. Findings and conclusions shall be based on the preponderance of the evidence standard. The respondent shall have fourteen days to respond and to identify any alleged errors or omissions in the preliminary report.
  - (5) In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
    - i. Aggravating factors may include, but are not limited to:



1. the degree to which the respondent's conduct was flagrant, egregious, or willful;
    2. the significance and impact of the faculty member's failure to meet academic responsibilities if relevant;
    3. the strength of the evidence presented;
    4. whether the respondent has previously been found to have engaged in misconduct;
    5. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
    6. whether the respondent had received prior warnings about engaging in the conduct at issue.
  - ii. Mitigating factors may include, but are not limited to:
    1. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
    2. the respondent accepted responsibility for the misconduct.
- (6) The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may include a combination of sanctions:
- i. Verbal reprimand;
  - ii. Written reprimand;
  - iii. Mandatory counseling or other rehabilitation;
  - iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
  - v. Restrictions on duties or privileges;
  - vi. Restriction of access to university property or services;
  - vii. Reduction of salary base;
  - viii. Reduction of twelve-month appointment to nine-month appointment;
  - ix. Reduction of full-time equivalent (FTE) appointment;
  - x. Reduction of rank;
  - xi. Revocation of tenure;



xii. Termination of employment.

- (7) After receipt of any comments from the respondent, the committee shall complete its investigation and submit its final report to the Deciding Official set forth in the Research Misconduct policy in accordance with that policy. If the committee concludes that research misconduct occurred, the respondent shall have the right to submit an appeal of that decision to the Deciding Official in accordance with the Research Misconduct policy.

- i. If a finding of research misconduct is confirmed following review of the report and any appeals by the Deciding Official, the case shall be referred to the respondent's dean for further proceedings under section (D) of this rule. If no finding of research misconduct is made following such review, the case shall be dismissed.

(D) Decision by the dean.

- (1) After reviewing the report and recommendation of the investigation and sanctioning committee, the dean may:
- i. Uphold the committee's proposed sanction;
  - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
  - iii. Increase the sanction.

- (2) The dean shall make a decision in twenty-one days. The final report of the investigation and sanctioning committee and the dean's decision shall be sent to the complainant, if any identified, and the respondent.

(3) Appeals:

- i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training.
- ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost for review.
- iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
- iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.

(E) Review of appeals by the provost.

- (1) After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
- i. Affirm the dean's sanction;



- ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
  - iii. Increase the sanction; or
  - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
- (2) The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.
- (3) If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (C)(6)(vii) through (xii) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
- (4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed. Appeals to the faculty hearing committee shall be limited to one or more of the following grounds:
  - i. the sanction is disproportionate to the violations committed in view of the aggravating and mitigating factors;
  - ii. substantial new evidence has been discovered (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct); or
  - iii. there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent.

(F) The faculty hearing committee.

- (1) Within fourteen days of receipt of an appeal from a respondent the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the complaint and to provide a recommendation to the president regarding the appropriate action to be imposed. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
- (2) The parties to this hearing shall be the respondent and the provost, or designee.
- (3) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
- (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.



- (5) Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
- (6) The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
- (7) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
- (8) At the conclusion of the proceedings, the hearing panel shall make separate written conclusions with respect to each substantive issue raised at the hearing.
  - i. If the respondent challenges the appropriateness of the sanction, the faculty hearing committee shall recommend a sanction and provide its rationale for doing so in accordance with the factors set forth in section (C)(5) of this rule.
  - ii. If the respondent alleges conflict of interest, procedural error, or substantial new evidence, the faculty hearing committee shall set forth what their conclusions are and whether they believe that further proceedings are appropriate.
- (9) The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.

(G) The president.

- (1) Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
  - (a) Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
  - (b) Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;
  - (c) Remand the case to the hearing panel for reconsideration; or
  - (d) In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process for further proceedings as appropriate.
- (2) The president's decision on all sanctions less than termination of employment is final.
- (3) Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
- (4) The president shall make a decision within thirty days.



(H) Board of trustees.

- (1) The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

(Board approval dates: 2/25/2021, 5/16/2024)

**3335-5-04.3 Procedures for complaints of sexual misconduct, workplace violence, whistleblower retaliation, and protected class discrimination, harassment, and retaliation made against faculty members.**

- (A) This rule applies to complaints made against faculty members involving sexual misconduct, workplace violence, whistleblower retaliation, and protected class discrimination, harassment, and retaliation as defined in applicable university policies. A faculty member may be disciplined up to and including termination for violations established under this rule.

(B) Initial proceedings.

- (1) Complaints of sexual misconduct and protected class discrimination, harassment, and retaliation must be filed with or referred to the Office of Institutional Equity, and complaints of workplace violence and whistleblower retaliation separate from protected class or sexual misconduct must be filed with or referred to the Office of Human Resources.
- (2) The applicable office shall perform a preliminary assessment to determine whether the complaint warrants further investigation, whether an informal resolution would be appropriate, whether the matter should be referred to a different university office or process, or whether the matter should be closed and not proceed further in the process.
- (3) If the applicable office determines that further investigation is warranted and that an informal resolution is not appropriate at that stage in the process, it shall notify the complainant and respondent of its decision to pursue an investigation and shall assign an investigator to investigate the complaint.

(C) Investigation determinations.

- (1) Complaints of sexual misconduct pursuant to Title IX of the Education Amendments Act of 1972 and implementing regulations shall be investigated pursuant to the procedures set forth in the university Sexual Misconduct policy. All findings of misconduct shall be referred to the university sanctioning committee for a recommendation for sanctions only in accordance with Section D of this rule.
- (2) For all other complaints subject to this rule:
  - i. The investigator shall perform the investigation in accordance with applicable university policy and shall meet with both the complainant and respondent and review any documentary evidence provided by these parties. The investigator shall have the authority to gather information relevant to the complaint, including through interviewing individuals other than the complainant and respondent as the investigator sees fit or as recommended by the complainant and respondent, but shall otherwise strive to maintain confidentiality in the proceedings.



- ii. The parties shall receive all of the rights set forth in the applicable policy, and shall further have the right to receive the policies, standards, and procedures applicable to the investigation.
- iii. The parties shall be given the ability to review copies of any documentary evidence that is provided to the investigator as part of the investigation and is relevant to the substance of the complaint. Parties shall have the ability to respond to all such documents during the investigation, and the ability to suggest witnesses who may be contacted as part of the investigation within the investigator's discretion.
- iv. When fact gathering is complete, the investigator shall prepare a written investigative summary (preliminary report) that identifies the relevant and material facts in the case. The investigator shall provide that document to both the complainant and respondent for review. Each party shall have fourteen days to respond and to identify any alleged errors or omissions in the investigative summary.
- v. Following review of any comments by the parties, the investigator shall thereafter make any modifications to the report that the investigator deems appropriate and issue a final report that will include the summary of the facts gathered, analysis of the allegations, and findings as to whether the applicable policy was violated under the preponderance of the evidence standard. If a violation is found, this report shall be provided to the university sanctioning committee to determine the appropriate sanction. If no violation is found, the complaint shall be dismissed.

(D) The university sanctioning committee.

- (1) The university sanctioning committee is responsible for determining what sanction to recommend for a policy violation.
  - i. The university sanctioning committee shall consist of fifteen tenured members of the faculty selected by the executive committee of faculty council from at least eight different Colleges and regional campuses. Each member of the university sanctioning committee must receive required training before serving on the panel. Each selected person shall serve a three-year term followed by a one-year term as an alternate member. A chair shall be elected from the membership in the spring for a one-year term, starting during the subsequent summer session.
  - ii. The chair shall select three members of the committee to sit on each sanctioning panel. The chair of the committee may sit on the panel as an observer. Panelists may not be drawn from the complainant's or respondent's tenure initiating unit, as may be applicable. Alternates may be assigned to university sanctioning panels at the chair's discretion.
- (2) Upon receipt of the investigation report, the sanctioning panel shall meet with the investigator to discuss the investigation and findings, and may request clarification on any aspect of the investigation process. The committee shall also offer both the complainant and the respondent the opportunity to meet with the committee to present their views as to an appropriate sanction.

- (3) In evaluating sanctions, the sanctioning panel shall consider the totality of the circumstances, including aggravating and mitigating factors.
- i. Aggravating factors may include, but are not limited to:
    - a. the degree to which the respondent's conduct was flagrant, egregious, or willful;
    - b. the strength of the evidence presented;
    - c. whether the respondent has previously been found to have engaged in misconduct;
    - d. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
    - e. whether the respondent had received prior warnings about engaging in the conduct at issue.
  - ii. Mitigating factors may include, but are not limited to:
    - a. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
    - b. the respondent accepted responsibility for the misconduct.
- (4) The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
- i. Verbal reprimand;
  - ii. Written reprimand;
  - iii. Mandatory counseling or other rehabilitation;
  - iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
  - v. Restrictions on duties or privileges;
  - vi. Restriction of access to university property or services;
  - vii. Reduction of salary base;
  - viii. Reduction of twelve-month appointment to nine-month appointment;
  - ix. Reduction of full-time equivalent (FTE) appointment;
  - x. Reduction of rank;

- xi. Revocation of tenure;
- xii. Termination of employment.

(5) For sexual misconduct complaints under Title IX, the committee shall reach its sanction decision within thirty days. This sanction decision shall be incorporated into the findings in accordance with the university Sexual Misconduct policy, and a written determination containing the combined findings and recommended sanction shall be issued. The complainant and respondent shall have equal rights to appeal the written determination to the provost for review in accordance with Section (F) of this rule and shall not be reviewed by the respondent's dean under Section (E) of this rule. All appeals must be in writing and be filed within fourteen days after the written determination is issued. The appeal shall be on the grounds for appeal permitted by the Sexual Misconduct policy and in accordance with the procedures provided by that policy.

(6) For all other complaints under this rule, the committee shall complete its review and submit its report to the respondent's dean within thirty days.

(E) Decision by the dean.

(1) For all complaints under this rule except sexual misconduct complaints under Title IX, the dean may, after reviewing the report and recommendation of the university sanctioning committee:

- i. Uphold the committee's proposed sanction;
- ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
- iii. Increase the sanction.

(2) The dean shall make a decision in twenty-one days. The final report of the university sanctioning committee and the dean's decision will be sent to the complainant and the respondent.

(3) Appeals:

- i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training.
- ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost for review.
- iii. If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
- iv. In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.

(F) Review of appeals by the provost.

(1) After reviewing the record of a case upon appeal or upon referral by the dean, the provost may:



- i. Affirm the dean's sanction or the sanction imposed by the university sanctioning committee for sexual misconduct complaints under Title IX;
  - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the sanction;
  - iii. Increase the sanction; or
  - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
- (2) The provost shall make a decision within fourteen days of receiving materials from the dean, respondent or complainant as applicable. Complainant and respondent shall each have the right to respond to a filing by the other party.
- (3) For complaints of sexual misconduct under Title IX, the provost's decision shall be final.
- (4) For all other complaint subject to this rule:
  - a. If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(4)(vii) through (xii) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
- (5) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed. Appeals to the faculty hearing committee shall be limited to one or more of the following grounds:
  - i. the sanction is disproportionate to the violations committed in view of the aggravating and mitigating factors;
  - ii. substantial new evidence has been discovered (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct); or
  - iii. there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent.

(G) The faculty hearing committee.

- (1) Within fourteen days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the complaint and to provide a recommendation to the president regarding the appropriate action to be imposed. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
- (2) The parties to this hearing shall be the respondent and the provost, or designee.



- (3) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
- (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.
- (5) Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
- (6) The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal. However, in all proceedings, the hearing panel shall afford complainants equal rights to participate in any proceeding and the ability to present a response to the respondent's claims as applicable.
- (7) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
- (8) At the conclusion of the proceedings, the hearing panel shall make separate written conclusions with respect to each substantive issue raised at the hearing.
  - i. If the respondent challenges the appropriateness of the sanction, the faculty hearing committee shall set forth what their recommended sanction is in accordance with the factors set forth in section (D)(3) of this rule.
  - ii. If the respondent alleges conflict of interest, procedural error, or substantial new evidence, the faculty hearing committee shall set forth what their conclusions are and whether they believe that further proceedings are appropriate.
- (9) The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.

(H) The president.

- (1) Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
  - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
  - ii. Recommend to the board of trustees termination of employment on such terms and conditions as the president may deem advisable;
  - iii. Remand the case to the hearing panel for reconsideration; or
  - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that

may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process for further proceedings as appropriate.

2. The president's decision on all sanctions less than termination of employment is final.
3. Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
4. The president shall make a decision within thirty days.

(I) Board of trustees.

- (1) The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

(Board approval dates: 2/25/2021, 5/16/2024)

**3335-5-04.4 Procedures for complaints of misconduct and other violations of applicable law, university policies or rules, or governance documents made against faculty members.**

- (A) This rule applies to complaints made against faculty members involving misconduct and other violations of applicable law, university policies or rules, or unit governance documents that do not otherwise fall under rules 3335-5-04.1, 3335-5-04.2, or 3335-5-04.3. If complaints against a faculty member are brought concurrently under both 3335-5-04.1 and 3335-5-04.4, those complaints may be consolidated into one proceeding, retaining the relevant evidentiary standard for each complaint. A faculty member may be disciplined for violations established under this rule, up to and including termination for violations constituting grave misconduct or non-trivial financial fraud. For the purposes of this rule:

- (1) "Grave misconduct" is defined as flagrant, egregious, and willful misbehavior in violation of the law or established university rules or policies.
- (2) "Nontrivial financial fraud" is defined as a deliberate act or deliberate failure to act that is contrary to law, rule, or policy so as to obtain unauthorized financial benefit from the university for oneself, one's family, or one's business associates. Nontrivial financial fraud includes, but is not limited to, misappropriation of university funds or property, authorizing or receiving compensation or reimbursement for goods not received or services not performed or hours not worked, or unauthorized alteration of financial records.

(B) Initial proceedings.

- (1) A complaint may be filed by any student or university employee, including employees from administrative offices who are filing complaints arising out of investigations by those offices. Complaints may be filed with a chair, dean, associate dean, provost, vice provost for faculty affairs (hereinafter "vice provost"), or the president. All complaints must be referred to the vice provost for initial review in accordance with this rule.



- (2) The complaint shall be set forth in writing and shall state facts to support an allegation that a faculty member has engaged in misconduct or has otherwise violated applicable law, university policies or rules, or unit governance documents.

- i. The vice provost shall review every complaint to determine whether the complaint presents an actionable violation and is not clearly retaliatory or abusive in nature. Further, the vice provost shall determine whether the allegations in the complaint relate directly to research compliance and indicate this determination to the department chair conducting the probable cause review. Research compliance refers to the adherence to applicable laws, regulations, ethical standards, institutional policies, and sponsor requirements governing the responsible conduct of research activities. If the vice provost is named as a respondent, the provost shall identify a designee. If the vice provost determines that a complaint either does not allege a violation that can be addressed under this rule or was filed for clearly retaliatory or abusive purposes, the vice provost must consult with the complainant within seven days of filing to clarify the nature of the complaint. The vice provost may dismiss such a complaint within seven days of consulting with the complainant if it cannot be addressed under this rule or is clearly retaliatory or abusive in nature. This determination does not prohibit referral of a complaint filed under this rule to another applicable university process.
  - a. The complainant may appeal this dismissal in writing to the provost within seven days of this decision. Upon receiving such an appeal, the provost may either reinstate the complaint or dismiss it, and that decision is final. The provost must issue a decision within fourteen days of receiving such an appeal.
- ii. If the vice provost determines that the complaint should proceed or if the complaint is reinstated by the provost, the vice provost shall furnish a copy of the complaint to the respondent and shall refer it to the respondent's department chair for a probable cause review in accordance with section (C) of this rule.
  - a. If the faculty member's department chair is the complainant or respondent, the complaint shall be referred to the faculty member's dean for the initial probable cause review.
  - b. For the purposes of this provision, the term "department chair" includes school directors, deans of colleges without departments, and regional campus deans and directors. For regional campus faculty, the campus dean and director shall serve as the department chair for the probable cause review. If the complaint is filed by the regional campus dean and director, the college dean shall serve as the regional campus dean and director for the probable cause review.

- (3) Only allegations stated in the complaint shall be considered at the various stages of deliberation. However, additional facts relevant to the allegations set forth in the complaint may be presented throughout the process.

(C) Probable cause review.



- (1) The department chair shall review the allegations in the complaint and discuss the matter with the complainant and the respondent to determine whether there is probable cause to believe that the allegations are true.
  - (2) If the department chair determines that there is not probable cause to believe that the allegations are true, the chair shall dismiss the complaint.
    - i. If the complaint is dismissed, the complainant may appeal the dismissal to the dean. The appeal must be in writing and filed with the dean within twenty-one days after the notice of the chair's decision was mailed. Upon receiving such an appeal, the dean may either reinstate the complaint and refer it as described in paragraph (C)(3) of this rule or dismiss it, and such a dismissal is final. The dean must issue a decision within thirty days after receiving such an appeal.
  - (3) If the department chair determines that there is probable cause to believe that the allegations are true, the department chair shall refer the matter to the college investigation and sanctioning committee for an investigation unless the department chair completes an informal resolution in accordance with paragraph (E) of rule 3335-5-04 of the Administrative Code. If the vice provost determines that the allegations in the complaint relate directly to research compliance, the investigation shall be referred to the research integrity standing committee. This committee is described in paragraph (C) of rule 3335-5-04.2 of the Administrative Code and will serve to investigate the complaint in accordance with paragraph (D) of rule 3335-5-04.1 of the Administrative Code. If the allegations do not relate directly to research compliance, the investigation shall be referred to the college investigation and sanctioning committee.
  - (4) The department chair shall complete this process within fourteen days.
- (D) Investigation and sanctioning.
- (1) Each college shall appoint a college investigation and sanctioning committee, which shall fulfill the responsibilities set forth in this section. The college investigation and sanctioning committee shall be all tenured faculty or a majority of tenured faculty if including clinical/teaching/practice faculty who are non-probationary associate professors or professors. A college may include faculty members from other colleges on its committee. In instances in which the vice provost has determined that the allegations in the complaint relate directly to research compliance, the research integrity standing committee shall fulfill the responsibilities set forth in this section.
  - (2) Upon receipt of a referral of a complaint from the department chair, the committee shall meet with the complainant and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation. The committee shall have the authority to gather information relevant to the complaint, including through seeking to interview individuals other than the complainant and respondent as the committee sees fit or as recommended by the complainant and respondent. The committee shall strive to maintain confidentiality in the proceedings.
  - (3) At the conclusion of the investigation, the committee shall prepare a preliminary report that identifies the proposed findings of fact, a conclusion as to whether a violation occurred under the preponderance of the evidence standard, and if so whether the conduct rose to the level of grave misconduct or non-trivial financial fraud as defined in rule 3335-5-04.1(A)(1)(i)–(iii). The committee shall provide that document to both the complainant and respondent for review. Each party shall have seven days to respond and to identify any alleged errors or omissions in the findings.



- (4) Following review of any comments by the parties, the committee shall thereafter make any modifications to the report that it deems appropriate and issue a final report. If the committee concludes that a violation occurred, the committee shall include its proposed sanction in the final report.
- (5) In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.
  - i. Aggravating factors may include, but are not limited to:
    - a. the degree to which the respondent's conduct was flagrant, egregious, or willful if grave misconduct is found;
    - b. the significance and impact of the faculty member's misconduct;
    - c. the degree and impact of the fraud if non-trivial financial fraud is found;
    - d. the strength of the evidence presented;
    - e. whether the respondent has previously been found to have engaged in misconduct;
    - f. whether the respondent's conduct caused injury or harm to another individual, university property, or the university's reputation; and
    - g. whether the respondent had received prior warnings about engaging in the conduct at issue.
  - ii. Mitigating factors may include, but are not limited to:
    - a. the conduct at issue did not cause injury or harm to another individual, university property, or the university's reputation; and
    - b. the respondent accepted responsibility for the misconduct.
- (6) The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
  - i. Verbal reprimand;
  - ii. Written reprimand;
  - iii. Mandatory counseling or other rehabilitation;
  - iv. Reimbursement for damages to or destruction of university property, or for misuse or misappropriation of university property, services or funds;
  - v. Restrictions on duties or privileges;
  - vi. Restriction of access to university property or services;



- vii. Reduction of salary base;
- viii. Reduction of twelve-month appointment to nine-month appointment;
- ix. Reduction of full-time equivalent (FTE) appointment;
- x. Reduction of rank;
- xi. Revocation of tenure;
- xii. Termination of employment in cases of grave misconduct or non-trivial financial fraud.

(7) The committee shall complete its investigation and submit its report to the respondent's dean within forty-five days.

(E) Decision by the dean.

(1) After reviewing the report and recommendation of the college investigation and sanctioning committee or the research integrity standing committee, the dean may:

- i. Dismiss the complaint if the committee did not find a violation;
- ii. Impose the committee's proposed sanction;
- iii. Impose what would reasonably be interpreted as an equivalent or lesser sanction; or
- iv. Increase the sanction if the committee determined that the respondent engaged in grave misconduct or non-trivial financial fraud.

(2) The dean shall make a decision in twenty-one days. The final report and the dean's decision shall be sent to the complainant and the respondent.

(3) Appeals:

- i. The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training. A respondent may, place a response to this sanction in their primary personnel file.
- ii. If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost.
- iii. If the dean imposes a sanction that revokes tenure or terminates employment, or if the case involves a finding by the committee of grave misconduct or non-trivial financial fraud, regardless of the sanction, the matter shall be automatically appealed to the provost.
- iv. In all appeals, whether discretionary or automatic, the respondent may

identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within fourteen days after notice of the dean's decision was mailed.

(F) Review of appeals by the provost.

- (1) After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
  - i. Affirm the dean's sanction;
  - ii. Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
  - iii. In the case of grave misconduct or non-trivial financial fraud increase the sanction; or
  - iv. In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate.
- (2) The provost shall make a decision within fourteen days of receiving materials from the dean and respondent as applicable.
- (3) If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (D)(6)(vii) through (xii) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
- (4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed.

(G) The faculty hearing committee.

- (1) Within fourteen days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the appeal and to provide a recommendation to the president regarding the appropriate action. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer.
- (2) The parties to this hearing shall be the respondent and the provost, or designee.
- (3) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
- (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall have the right to present witnesses and evidence and to examine witnesses and evidence



presented by the respondent.

- (5) Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
  - (6) The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
  - (7) The hearing panel will not be bound by the findings of the college investigation and sanctioning committee or the provost.
  - (8) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
  - (9) At the conclusion of the proceedings, the hearing panel shall make written conclusions with respect to each substantive issue raised, including but not limited to:
    - i. appropriateness of the sanction, and, if found to be inappropriate, the faculty hearing committee's recommended sanction in accordance with the factors set forth in section (D)(5) of this rule.
    - ii. conflict of interest, procedural error, or substantial new evidence.
    - iii. findings of the college investigation committee.
  - (10) The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within sixty days of the date that the final hearing panel is convened.
- (H) The president.
- (1) Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
    - i. Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
    - ii. Recommend to the board of trustees termination of employment for cases of grave misconduct or non-trivial financial fraud on such terms and conditions as the president may deem advisable;
    - iii. Remand the case to the hearing panel for reconsideration; or
    - iv. In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have

affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step of the process.

- (2) The president's decision on all sanctions less than termination of employment is final.
- (3) Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.
- (4) The president shall make a decision within thirty days.

(I) Board of trustees.

- (1) The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

(Board approval dates: 2/25/2021, 5/16/2024, 12/4/2025)

**3335-5-04.5 Procedures for post-tenure review complaints.**

- (A) This rule applies to complaints made against tenured faculty members under the post-tenure review process set forth in section 3345.453 of the Revised Code and the Faculty Annual Review, Post-Tenure Review, and Reappointment policy. A tenured faculty member shall be required to undergo a post-tenure review if they: (1) receive a rating of "does not meet expectations" in the same area on their annual performance evaluation twice within any three-year period; (2) receive a rating of "does not meet expectations" in any area on their annual performance evaluation within two years following the conclusion of a previous post-tenure review; or (3) the faculty member's department chair or dean or the provost determines that there is cause to find that the faculty member has a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation, provided that cause may not be based on an allowable expression of academic freedom as defined by the university or Ohio law. Post-tenure reviews arising from performance evaluations shall only be based on areas in which the faculty member spent at least five percent of their effort for the evaluation year. A tenured faculty member may be disciplined up to and including termination for violations established under this rule.

(B) Preliminary proceedings.

- (1) Within thirty days after a tenured faculty member meets one of the conditions set forth in section (A) of this rule, the faculty member's department chair shall submit a letter to the vice provost for faculty affairs explaining the concerns set forth in the evaluations or a separate statement outlining an alleged documented and sustained record of significant underperformance outside the evaluations, and providing copies of the faculty member's five most recent performance evaluations and any responses submitted by the faculty member for consideration as part of the post-tenure review as well as any other documentation that the department chair deems relevant. This letter shall serve as the complaint for the purposes of the post-tenure review.
  - (a) For the purposes of this rule, the term "department chair" shall include school directors as well as associate deans for colleges without departments. For regional campus faculty, the campus dean and director shall be responsible for filing the complaint in consultation with the TIU head.



- (2) The vice provost shall have fourteen days to review the complaint and ensure that it contains all required information to conduct the post-tenure review. Thereafter, the vice provost shall provide a copy of the complaint to the respondent and refer the complaint to the relevant college investigation and sanctioning committee, which shall officially begin the post-tenure review process.
- (3) Only allegations stated in the complaint shall be considered at the various stages of deliberation. However, additional facts relevant to the allegations set forth in the complaint may be presented throughout the process.

(C) College investigation and sanctioning committee.

- (1) Each college shall appoint a standing college investigation and sanctioning committee, which shall fulfill the responsibilities set forth in this section and shall be comprised solely of tenured faculty. A college may include faculty members from other colleges on its committee. Should a college have more than one complaint, it has the authority to convene multiple panels of the committee as needed. Each member of the standing college investigation sanctioning committee must receive required training before conducting an investigation under this rule.
- (2) Upon receipt of a referral of a complaint from the vice provost, the committee shall be responsible for reviewing the faculty member's performance as documented in the annual reviews and any accompanying information, with a specific focus on those areas in which the faculty member received "does not meet expectations" ratings that triggered the post-tenure review, or on the information provided when the complaint alleges a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation. The committee shall meet with the department chair and the respondent and shall review any documentary evidence provided by these parties. The respondent shall be given copies of any documentary evidence provided to the committee as part of the investigation and be given an opportunity to respond to all such documentation. The committee shall have the authority to gather information relevant to the complaint, including by interviewing individuals other than the complainant and respondent as the committee sees fit or as recommended by the complainant or respondent. The committee shall strive to maintain confidentiality in the proceedings.
- (3) At the conclusion of the investigation, the committee shall prepare a preliminary report that identifies the proposed findings of fact regarding whether the faculty member's performance was substantiated as "does not meet expectations," or whether an allegation of a documented and sustained record of significant underperformance outside of the faculty member's annual performance evaluation was substantiated. In making this determination, the committee must recognize that department chairs and deans have discretion to set performance expectations for their units and to evaluate performance according to those expectations, and that the committee may not substitute its judgment for the legitimate exercise of such discretion. However, the committee must still find that the alleged performance failures are supported by clear and convincing evidence to sustain a finding, and document its conclusions in the preliminary report. The committee shall provide that document to both the department chair or dean as applicable and respondent for review. Each party shall have seven days to respond and to identify any alleged errors or omissions in the findings.
- (4) Following review of any comments by the parties, the committee shall thereafter make any modifications to the report that it deems appropriate and issue a final report which shall include its proposed sanctions.
- (5) In evaluating sanctions, the committee shall consider the totality of the circumstances, including aggravating and mitigating factors.





- (a) Aggravating factors may include, but are not limited to:
  - (i) The significance and impact of the faculty member's failure to meet expectations;
  - (ii) The strength of the evidence presented;
  - (iii) Whether there is a demonstrated pattern of failing to meet expectations;
  - (iv) The extent to which the respondent's conduct impacted students, staff, other faculty, their tenure-initiating unit's operations, and/or the university's reputation; and
  - (v) The respondent was offered feedback and resources to improve performance that were not utilized.
- (b) Mitigating factors may include, but are not limited to:
  - (i) The respondent's conduct did not have a significant negative impact on students, staff, other faculty, their tenure-initiating unit's operations, and/or the university's reputation;
  - (ii) The respondent's performance met or exceeded expectations in some areas of their evaluation, and/or the respondent has a consistent history of meeting or exceeding expectations in the areas in which they currently do not meet expectations;
  - (iii) Documented external factors beyond the respondent's control contributed to the failure to meet expectations; and
  - (iv) The respondent accepted responsibility for the failure to meet expectations.
- (6) The committee shall have the authority to recommend sanctions as it sees fit as long as the sanctions are commensurate with the nature of the complaint and the committee's analysis of any aggravating and mitigating factors. Sanctions may be of a discrete or continuing nature, but sanctions of a continuing nature must specify the period of time in which they are applicable. Sanctions may include, but are not limited to the following, and may further include a combination of sanctions:
  - (a) Verbal reprimand;
  - (b) Written reprimand;
  - (c) Mandatory training and professional development or other rehabilitation;
  - (d) Reduction of salary base;
  - (e) Reduction of twelve-month appointment to nine-month appointment;
  - (f) Reduction of full-time equivalent (FTE) appointment;
  - (g) Reduction of rank;
  - (h) Revocation of tenure;
  - (i) Termination of employment.



- (7) The committee shall complete its investigation and submit its report to the respondent's dean within forty-five days of the delivery of the complaint to the committee. The committee may seek a single, fifteen-day extension from the provost if needed pursuant to rule 3335-5-04(K).

(D) Decision by the dean.

- (1) After reviewing the report and recommendation of the college investigation and sanctioning committee, the dean may:
  - (a) Dismiss the complaint if the committee found that the complaint was not substantiated and the dean concurs with that finding;
    - (i) If the dean determines that the committee erred in recommending dismissal of the complaint, the dean may return the case to the committee to address the error. In the event that a case is returned to the committee, the dean must specify the error at issue, and the committee shall address that error in accordance with the requirements of this rule and resubmit its finding to the dean within fourteen days.
  - (b) Impose the committee's proposed sanction;
  - (c) Impose what would reasonably be interpreted as an equivalent or lesser sanction to the committee's sanction; or
  - (d) Increase the committee's sanction.
- (2) The dean shall make a decision in seven days. The final report of the college investigation and sanctioning committee and the dean's decision shall be sent to the complainant and the respondent.
  - (a) Appeals:
    - (i) The dean's decision shall be final in all cases in which the sanction imposed is a verbal reprimand, a written reprimand, or mandatory counseling or training, but a respondent may place a response to this sanction in their primary personnel file.
    - (ii) If the dean imposes any other sanction except for revocation of tenure or termination of employment, the respondent shall have the right to appeal in writing to the provost.
    - (iii) If the dean imposes a sanction that revokes tenure or terminates employment, the matter shall be automatically appealed to the provost.
    - (iv) In all appeals, whether discretionary or automatic, the respondent may identify their position on the case in writing to the provost. All such submissions and all discretionary appeals must be filed within seven days after notice of the dean's decision was mailed.

(E) Review of appeals by the provost.

- (1) After reviewing the record of a case appealed by a respondent or referred by the dean, the provost may:
  - (a) Affirm the dean's sanction;



- (b) Impose what would reasonably be interpreted as an equivalent or lesser sanction to the dean's sanction;
    - (c) Increase the sanction; or
    - (d) In the event that the provost determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the provost shall return the case back to a previous step of the process for further proceedings as appropriate. If the provost returns the case to the committee, the committee shall address the error or new evidence and resubmit its finding to the dean within fourteen days. If the provost returns the case to the dean, the dean shall address the error or new evidence and resubmit their decision to the provost within seven days.
  - (2) The provost shall make a decision within seven days of receiving materials from the dean and respondent as applicable.
  - (3) If the provost affirms the dean's decision to terminate employment, or imposes or upholds a sanction set forth in section (C)(6)(g) through (i) of this rule, the respondent may appeal to the faculty hearing committee. In all other cases, the provost's decision shall be final.
  - (4) An appeal by the respondent must be in writing and must be filed with the faculty hearing committee within fourteen days after notice of the provost's decision was mailed. Appeals to the faculty hearing committee shall be limited to one or more of the following grounds:
    - (a) The sanction is disproportionate to the violations committed in view of the aggravating and mitigating factors;
    - (b) Substantial new evidence has been discovered (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding); or
    - (c) There was a conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent.
- (F) The faculty hearing committee.
- (1) Within three days of receipt of an appeal from a respondent, the faculty hearing committee established by rule 3335-5-48.10 shall convene a hearing panel to consider the appeal and to provide a recommendation to the president regarding the appropriate action. The respondent and the provost or designee may each make one peremptory challenge to the seating of one person on the hearing panel and one peremptory challenge to the selection of a presiding officer. Any peremptory challenges must be made within twenty-four hours of receipts of the panel and presiding officer names.
  - (2) The parties to this hearing shall be the respondent and the provost, or designee.
  - (3) The hearing panel may restrict the attendance of persons at the proceedings. However, the respondent and the provost shall have the right to have one observer of their choosing present at all times.
  - (4) The provost, or designee, shall present the case to the hearing panel. In presenting the case, the provost may be advised and represented by the general counsel, or designee. The provost shall



have the right to present witnesses and evidence and to examine witnesses and evidence presented by the respondent.

- (5) Respondents shall have the right to represent themselves or to be represented by legal counsel or any other person of their choice. The respondent shall have the right to examine the witnesses and evidence presented against them in the hearing, to present witnesses and evidence on their own behalf, and to refuse to testify or be questioned in the proceedings without prejudice to their cause.
- (6) The hearing panel shall receive testimony and other evidence as it deems relevant and material to the issues appealed, and may decline to receive evidence presented by the provost or the respondent that is not material and relevant to the appeal.
- (7) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the Office of Academic Affairs.
- (8) At the conclusion of the proceedings, the hearing panel shall make written conclusions with respect to each substantive issue raised at the hearing:
  - (a) If the respondent challenges the appropriateness of the sanction, the faculty hearing committee shall set forth what their recommended sanction is in accordance with the factors set forth in section (C)(5) of this rule.
  - (b) If the respondent alleges conflict of interest, procedural error, or substantial new evidence, the faculty hearing committee shall set forth what their conclusions are and whether they believe that further proceedings are appropriate.
- (9) The faculty hearing committee's report, together with a recording of the proceedings, shall be transmitted to the president, provost, and respondent within thirty days of the date that the final hearing panel is convened.

(G) The president.

- (1) Upon receipt of the written recommendation and a record of the proceedings from a hearing panel, the president shall review the matter. The president may:
  - (a) Impose any sanction less than termination of employment whether or not it accords with the recommendation of the hearing panel;
  - (b) Recommend to the board of trustees termination of employment;
  - (c) Remand the case to the hearing panel for reconsideration; or
  - (d) In the event that the president determines that substantial new evidence exists (evidence that was not available at the time of the initial investigation and that may reasonably have affected the finding of misconduct) or there was conflict of interest or procedural error in the previous steps of the process that resulted in material harm or prejudice to the respondent, the president shall return the case back to a previous step as appropriate.
- (2) The president's decision on all sanctions less than termination of employment is final.
- (3) Any decision of the president shall be communicated in writing to the hearing panel, the provost, and the respondent.

(4) The president shall make a decision within fourteen days.

(H) Board of trustees.

- (1) The board of trustees, in reviewing and deciding upon a case in which termination of employment has been recommended, has the ultimate authority to take that action necessary to promote the best interest of the university and to protect the rights of the individual. In such cases, the board shall have the discretion to decide whether the respondent has an opportunity to present to it arguments in writing, or in person, or both.

(Board approval date: 8/20/2025)

**3335-5-05 Procedures concerning faculty complaints about promotion, tenure and renewal decisions.**

(A) Definitions and construction.

- (1) Complaints concerning promotion, tenure, or renewal decisions may be made to the committee on academic freedom and responsibility by any member of faculty as defined in Chapter 3335-5-19 of the Administrative Code.
- (2) In all formal proceedings under this rule, the burden of going forward and the burden of establishing proof shall be on the complainant.
- (3) "Improper evaluation," as used in this rule, shall mean:
  - (a) That a decision affecting the complainant was based upon an inadequate consideration of the pertinent facts by the individual(s) making the decision, or
  - (b) That such decision was based upon reasons or considerations that infringe a constitutional right of the complainant.
- (4) In considering complaints alleging an improper evaluation under this rule, the review should consider only whether those individual(s) making the decision followed the appropriate procedures, considered the important evidence material to a fair determination, and acted in a responsible manner. When reviewing complaints, neither the committee on academic freedom and responsibility nor the faculty hearing panel shall substitute its judgment on the merits of the individual's performance for that of the academic unit.
- (5) If a complaint is dismissed by either the committee on academic freedom and responsibility or a hearing panel pursuant to this rule, no appeal may be taken by the complainant.
- (6) All records of the proceedings under this rule shall be kept in the office of the executive vice president and provost and shall not be open to public inspection without the written permission of the complainant and the executive vice president and provost.

(B) The committee on academic freedom and responsibility.

- (1) Complaints alleging improper evaluation shall be presented in writing to the faculty members of the committee on academic freedom and responsibility (hereinafter "committee") and to the executive vice president and provost within thirty days (whenever practical) after a faculty member has been notified of the decision the faculty member wishes to challenge.



- (2) Upon receipt of a written complaint alleging improper evaluation, the committee shall have sixty days to review the complaint, and evidence relating to it (including evidence on behalf of the academic unit) to determine whether reasonable and adequate grounds exist for asserting improper evaluation.
  - (3) By means of informal procedures, the committee shall review the complaint, and evidence relating to it (including evidence on behalf of the academic unit) to determine whether reasonable and adequate grounds exist for asserting improper evaluation.
  - (4) If the committee determines that no reasonable and adequate grounds exist for asserting improper evaluation, it shall dismiss the complaint and forward all files on the matter to the executive vice president and provost.
  - (5) If the committee determines that reasonable and adequate grounds may exist for asserting improper evaluation, it shall forward the complaint and all additional materials gathered during examination of the complaint to the faculty hearing committee and to the complainant, established pursuant to rule 3335-5-48.9 of the Administrative Code.
  - (6) If the committee is unable to reach a decision in the allotted sixty days, the complaint shall be forwarded to the faculty hearing committee.
- (C) The faculty hearing committee.
- (1) Upon receipt of a complaint alleging improper evaluation, the chair of the faculty hearing committee shall meet with the complainant to discuss the issues in the complaint and to inform the complainant about the procedures to be followed in the hearing.
  - (2) Within thirty days of receipt of a complaint, pursuant to paragraph (B)(5) and (B)(6) of this rule, the faculty hearing committee shall select a hearing panel according to the method provided in rule 3335-5-48.10 of the Administrative Code, to conduct proceedings in order to determine whether there is validity in the complaint. The hearing panel shall make every effort to conclude the hearing within sixty days, and the chair of the faculty hearing committee shall make every effort to submit the written report of the hearing to the executive vice president and provost within thirty days.
  - (3) Actions being challenged under this rule shall be responded to by the executive vice president and provost or designee.
  - (4) In matters involving allegations under paragraph (A)(3)(b) of this rule, the hearing panel shall conduct its proceedings in a collegial manner in accordance with the following guidelines:
    - (a) The complaint shall be set forth in writing and a copy furnished to the party or parties that are alleged to have committed the infringement.
    - (b) The hearing panel may restrict the attendance of persons at the proceedings, provided that the complainant shall not be denied the right to have one observer of their choosing present at all times.
    - (c) Both complainant and respondent shall have the right to be accompanied and advised by any person of their choice, to present witnesses and evidence on their own behalf, and to examine witnesses and evidence.



- (d) The hearing panel shall receive such testimony and other evidence as it deems to be material and relevant to the issues before it.
    - (e) An electronic recording shall be kept of all proceedings at a hearing panel. The recording shall be conveyed by the chair of the faculty hearing committee to the office of the executive vice president and provost.
  - (5) In matters involving complaints under paragraph (A)(3)(a) of this rule, the hearing panel shall conduct an investigatory proceeding in accord with the following guidelines:
    - (a) The proceeding shall not be adversarial in nature. The proceeding is an investigation leading to a report on whether or not adequate consideration was accorded.
    - (b) The complainant should be given opportunity to address the hearing panel in writing and in person, and offer any evidence substantiating the claim.
    - (c) If the complainant appears before the hearing panel, the complainant may bring an advisor. No formal transcript of the proceedings need be kept.
    - (d) The hearing panel shall request an oral or written report on the procedures followed and the evidence considered in reaching the decision that led to the complaint. The person or group who makes the decision may be called upon to demonstrate that all important and material evidence was considered.
  - (6) At the conclusion of a hearing, the hearing panel shall make every effort to prepare a written report within thirty days that:
    - (a) Makes separate findings of fact with respect to each substantive issue raised at the hearing.
    - (b) Dismisses the complaint if it determines that there has been no improper evaluation.
    - (c) When it has found that an improper evaluation has been made, makes a recommendation as to steps that could be taken to assure a new, fair, and impartial hearing.
    - (d) Shall be submitted to the dean of the college in which the complainant is a member and to the executive vice president and provost. The executive vice president and provost, in consultation with the hearing panel and the chair of the faculty hearing committee, shall take such steps as may be deemed necessary to assure a new, fair, and impartial evaluation. A copy of the hearing panel's findings shall also be sent to the president.
  - (7) If a decision is remanded under paragraph (C)(6)(b) of this rule, it shall be reconsidered promptly. Within thirty days of the receipt of the hearing panel's decision, the executive vice president and provost shall respond in writing to the hearing panel and the president, stating what action has been taken and the reasons therefor.
  - (8) All findings and recommendations of a hearing panel shall be made in writing and a copy shall be provided to the complainant.
- (D) The president.

- (1) Upon receipt of a report under paragraph (C)(7) of this rule, the president shall review the matter and take whatever action the president deems appropriate.
- (2) All decisions of the president under this rule shall be provided in writing to the hearing panel and the complainant.

(Board approval dates: 5/2/1975, 6/7/1984, 5/1/1986, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998, 6/4/1999, 6/1/2001, 6/7/2013, 6/5/2015)

### **3335-5-06 Guest speakers.**

It is the policy of the university to foster a spirit of free inquiry and to encourage the timely discussion of a broad range of issues, provided that the views expressed are stated openly and are subject to critical evaluation. Within our prevailing standards of decency and honesty, this policy shall be construed to mean that no topic or issue is too controversial for intelligent discussion on the campuses. Restraints on free inquiry should be held to that minimum which is consistent with preserving an organized society in which change is accomplished by peaceful, democratic means. To this end, registered student organizations, faculty, and others entitled to sponsor a meeting involving the use of university facilities (see rule 3335-13-03 of the Administrative Code) may invite guest speakers to the campuses. The sponsors must take reasonable steps necessary to ensure that the meeting is conducted in an orderly manner.

### **3335-5-07 Definition of faculty duties and responsibilities.**

Faculty members who are on duty are accountable for meeting the formal and informal obligations associated with research, service, and/or teaching or clinical practice. Duties and responsibilities are assigned annually in accordance with the workload guidelines laid out in the pattern of administration of each faculty member's tenure initiation unit and, as appropriate, regional campus.

Full-time, twelve-month, faculty members are expected to be on duty for an average of nineteen working days a month, with working days defined as weekdays that are not designated as university holidays. Faculty members on nine-month appointments are commonly on duty for nineteen working days a month averaged over a nine-month period. The most common pattern for a nine-month on-duty period under semesters is from August 15 to May 15.

Breaks within a given semester, summer term, or session, as well as any days between the end of the exam period and the beginning of the next semester or session, will be considered off-duty days. Faculty on twelve-month appointments are on duty on all working days except for the days they accrue and designate as vacation days. Terms of duty for full-time associated faculty on nine- or twelve-month appointments should parallel the terms for nine- and twelve-month tenure-track faculty unless otherwise specified in their annual letter of appointment; terms for shorter-term associated faculty are specified in their annual letter of appointment.

(Board approval dates: 6/19/2010, 6/22/2012, 6/6/2014, 6/3/2016)

### **3335-5-08 Absence from duty.**

Absence of any member of the faculty from ordinary service in the university, for any cause other than sickness, must be with the knowledge and approval of their chair or director and of the dean of the college, or, in the case of faculty assigned to a regional campus, the dean and director of that campus. Absences longer than ten consecutive business days, must also be approved by the executive vice president and provost. Sick leave is granted on approval of the appropriate administrative official when notification is given as soon as practicable, presumably on the first day of absence.



(Board approval dates: 4/4/1997, 12/4/1998, 6/18/2010, 2/1/2013, 6/6/2014)

**3335-5-12 "Rules of the University Faculty"; incorporated in contracts.**

These "Rules of the University Faculty" shall be incorporated by reference as a part of every contract or agreement for employment with the Ohio state university as though expressly incorporated in said contract or agreement.

**3335-5-13 Membership.**

Every member of the university faculty shall be a member of the college faculty or faculties to which they are assigned regardless of the location of their primary duty. In cases involving doubt as to the proper college to which the university faculty member is assigned, assignment will be made by the executive vice president and provost after obtaining the recommendation of the deans and/or dean and directors concerned.

(Board approval dates: 4/4/1997, 12/4/1998)

**3335-5-14 Powers.**

The college faculties shall have, subject only to the separate powers of the faculty of a school (see rule 3335-3-34 of the Administrative Code) and the faculty of the college of arts and sciences (see rule 3335-5-27 of the Administrative Code), the following general powers.

- (A) To adopt requirements for admission subject to the approval of the university senate and the board of trustees;
- (B) To adopt, alter or abolish courses and curricula subject to the approval of the council on academic affairs and the president and the board of trustees (see rules 3335-5-48.1 and 3335-8-02 of the Administrative Code);
- (C) To create and abolish schools, and departments of instruction within the college subject to approval of the council on academic affairs, the university senate, the president and the board of trustees (see rules 3335-3-25 to 3335-3-27, 3335-3-37, and 3335-5-48.1 of the Administrative Code);
- (D) To adopt and abolish academic degrees administered by them subject to approval of the council on academic affairs, the university senate, the president, and the board of trustees;
- (E) To recommend to the faculty membership of the university senate and the board of trustees, candidates for degrees.

(Board approval dates: 6/4/2004, 2/1/2013)

**3335-5-15 Executive committee.**

Each college shall have the power to designate an executive committee to which it may delegate authority to transact the business of the college as provided by the rules or by the established precedents of the college. Unless otherwise provided by the college faculty, this committee shall receive and act upon student petitions relative to courses of study and reinstatement; shall certify to the college faculty at the end of each semester, summer term, or session, lists of students who have fulfilled the requirements for a degree, or for whom special recommendation is made; and shall bring before the college faculty any matter coming

within its knowledge that needs the consideration or action of the college. The dean of the college shall act as chair of the committee.

(Board approval date: 5/14/2010)

### **3335-5-16 Meetings.**

The college faculty shall meet upon call of the dean of the college or in accordance with rules established by the college.

## **Departmental or School Faculties**

### **3335-5-17 Membership.**

The department or school faculty shall comprise all members of the department or school who are members of the college faculty and such other members of the department or school as the chair or director may from time to time designate. The chair or director shall be chair of the department or school faculty (see rule 3335-3-35 of the Administrative Code). The faculty of the department or school on all campuses, shall make recommendations on educational policies to the faculty of the college. In addition, the faculty of the school shall have the several academic powers set forth in rule 3335-3-34 of the Administrative Code. The president of the university and the dean of the college are members of the faculty of each department or school.

### **3335-5-18 Meetings.**

The faculty in each tenure initiating unit shall meet upon the call of the chair, director or dean or as prescribed in the unit's pattern of administration, but not less frequently than once each semester during the academic year.

## **Regional Campus Faculties**

### **3335-5-18.1 Membership.**

A regional campus faculty shall be comprised of those faculty members rendering primary service on that campus, the dean and director of the campus, and the president of the university.

(Board approval date: 2/1/1980, 6/6/2014)

### **3335-5-18.2 Meetings.**

The regional campus faculty shall meet upon the call of the dean and director or in accordance with rules established by that regional campus faculty.

(Board approval date: 2/1/1980)

## **Faculty**

### **3335-5-19 Faculty.**

As used in these rules the term "faculty" shall include persons appointed by the board of trustees with tenure-track, clinical/teaching/practice, research associated, and emeritus faculty titles on full or part-time appointments, with or without salary.

- (A) "Tenure-track faculty": persons with the titles of professor, associate professor, assistant professor, and instructor who serve on appointments totaling fifty per cent or more service to the university and who are eligible for tenure or who have obtained tenure.
  - (B) "Clinical/teach/practice faculty": Clinical/teaching/practice faculty serve under fixed term contracts and their faculty appointments are described in Chapter 3335-7 of the Administrative Code. Clinical/teaching/practice faculty positions are not tenure track positions and are not eligible for tenure.
  - (C) "Research faculty": Research faculty serve under fixed term contracts and their faculty appointments are described in Chapter 3335-7 of the Administrative Code. Research faculty positions are not tenure track positions and are not eligible for tenure.
  - (D) "Associated faculty": persons with clinical practice titles, adjunct titles, visiting titles, and lecturer titles; also professors, associate professors, assistant professors, and instructors who serve on appointments totaling less than fifty per cent service to the university. Persons with tenure-track, clinical/teaching/practice, or research faculty titles may not hold associated titles. Persons holding associated titles are not eligible for tenure and may not participate in the promotion and tenure reviews of tenure-track, clinical/teaching/practice, or research faculty. Associated faculty positions are not tenure track and are not eligible for tenure. Persons with associated titles are permitted to participate in college or academic unit governance where approved by a vote of at least a majority of all of its tenure-track faculty and also clinical/teaching/practice and research faculty in those colleges and units where they have been given voting rights. Associated faculty appointments may be made for a maximum of three consecutive years and, with the exception of visiting titles, may be renewed.
- (1) Clinical Practice Faculty: The titles of clinical professor of practice, clinical associate professor of practice, clinical assistant professor of practice, and clinical instructor of practice shall be used to confer faculty status on individuals who have credentials comparable to clinical faculty of equivalent rank and who either provide significant, uncompensated service for which a faculty title is needed or compensated service to the clinical instructional programs in the colleges of the health sciences. Clinical practice appointments are made for the period in which the service is provided. Renewal of no-salary appointments is contingent upon continued significant contributions. Procedures for the promotion of clinical practice faculty members shall be the same as for promotion of clinical faculty.
  - (2) Visiting Faculty: The titles of visiting professor, visiting associate professor, and visiting assistant professor, shall be used to confer faculty status on individuals who have credentials comparable to tenure-track, clinical/teaching/practice or research faculty of equivalent rank who spend a limited period of time on formal appointment and in residence at this institution for purposes of participating in the instructional and research programs of the university. A visiting appointment cannot exceed three continuous academic years of service.
  - (3) Adjunct Faculty: The titles of adjunct professor, adjunct associate professor, and adjunct assistant professor, and adjunct instructor shall be used to confer faculty status on individuals who have credentials comparable to tenure-track, clinical/teaching/practice, or research faculty of equivalent rank, who provide significant, service to the instructional and/or research programs of the university and who need a faculty title to perform that service. Significant service would include teaching the equivalent of one or more courses, advising graduate students or serving on graduate committees, and serving as a co-investigator on a research project. Such individuals may be either non-university employees or university employees compensated on a non-instructional budget. Adjunct



appointments are made for the period in which the service is provided. Renewal of adjunct appointments is contingent upon continued significant contributions. Procedures for the promotion of adjunct faculty members shall be the same as for promotion of tenure, clinical/teaching/practice, or research faculty.

- (4) Lecturer: The titles of lecturer and senior lecturer shall be used for all compensated instructional appointments where other titles are not appropriate. Lecturers' responsibilities are limited to teaching as defined in paragraph (A)(2) of rule 3335-06-02 of the Administrative Code.

- (E) "Emeritus faculty": Emeritus faculty status is an honor given in recognition of sustained academic contributions to the university as described in rule 3335-5-36 of the Administrative Code.

(Board approval dates: 4/4/1997, 12/4/1998, 4/6/1999, 3/1/2002, 7/12/2002, 6/4/2004, 2/1/2013, 4/5/2013, 6/7/2013, 11/16/2018, 5/31/2019, 5/16/2024)

### **3335-5-19.1 University Faculty.**

For purposes of governance functions described in rules 3335-5-20 to 3335-5-25 of the Administrative Code, the term "university faculty" shall mean all tenure-track faculty, the president, members of the president's cabinet serving at the president's pleasure and designated as executive heads of offices, the deans of the colleges and of the graduate school, and the dean for undergraduate education.

(Board approval dates: 3/3/1978, 2/6/1987, 11/2/1990, 5/3/1996, 12/4/2001, 5/4/2001, 6/7/2005, 2/1/2006, 6/7/2013)

### **3335-5-20 Presiding officer.**

The president of the university shall be the presiding officer of the university faculty. In the president's absence the duties of the presiding officer shall be assigned to the executive vice president and provost. In the absence of both the president and the executive vice president and provost, the duties of the presiding officer shall be assigned by the president to the dean of one of the colleges, the dean for undergraduate education, or the vice president for research.

(Board approval dates: 4/4/1997, 12/4/1998, 5/4/2001, 5/7/2004, 2/1/2006)

### **3335-5-22 Meetings.**

- (A) Meetings of the university faculty shall be held as needed during the academic year. These meetings shall be held on call of the president, either on the president's own motion or on request of the university senate or of the university faculty. The request of the university senate shall be by action taken at any meeting of the university senate. The request of the university faculty shall be by petition signed by members of the university faculty (see rule 3335-5-19.1 of the Administrative Code) in a number equal at least to ten per cent of the total membership of the university faculty. The president shall have a reasonable time to call the meeting after receiving the request.
- (B) For the purpose of this rule and rule 3335-5-23 of the Administrative Code, this total membership of the university faculty shall be determined as of the October first proceeding the date on which the petition is filed.

### **3335-5-23 Quorum.**

Thirty per cent of the total membership of the university faculty (see rule 3335-5-19.1 of the Administrative Code) shall constitute a quorum for the transaction of business.

**3335-5-24 Vote.**

Only members of the university faculty (see rule 3335-5-19.1 of the Administrative Code) shall be eligible to vote at a meeting of the university faculty.

**3335-5-25 Order of business.**

- (A) Except as otherwise provided by the university faculty, its meeting shall be conducted in accordance with the latest revision of "Robert's Rules of Order."
- (B) The order of business shall depend on the type of business to be transacted at the particular meeting.

(Board approval date: 6/7/2005)

**Faculty of the Arts and Sciences****3335-5-26 Membership.**

The faculty of the college of arts and sciences shall consist of all faculty members of the five legacy colleges of the former federation of the colleges of the arts and sciences, including arts, biological sciences, humanities, mathematical and physical sciences, and social and behavioral sciences. (see rule 3335-3-28 of the Administrative Code).

(Board approval dates: 10/11/1967, 3/5/1971, 2/01/2013)

**3335-5-27 Powers.**

The faculty of the arts and sciences shall have jurisdiction over:

- (A) All programs for the "untagged" bachelor's degrees, subject only to approval by the council on academic affairs and the university senate. Such degrees shall be awarded only upon the recommendation of the faculty of the arts and sciences.
- (B) The general education requirements for all programs in the colleges of the arts and sciences, and joint responsibility for planning the general education requirements for colleges outside arts and sciences on a cooperative basis. Jurisdiction for the general education requirements for colleges outside arts and sciences shall lie with the university senate through the council on academic affairs, and not with the faculty of the arts and sciences.

(Board approval dates: 10/11/1967, 6/18/2010, 6/7/2013)

**3335-5-28 Meetings.**

The faculty of the college of arts and sciences shall meet upon call of the chair of the coordinating council of deans or in accordance with rules established by the faculty.

(Board approval dates: 10/11/1967, 3/2/1984, 5/3/1996, 2/1/2013)

**Graduate Faculty**

**3335-5-29 Membership**

The members of the graduate faculty shall consist of those members of the faculty who are nominated by their graduate program and approved by the graduate school. Ex officio members of the graduate faculty are the executive vice president and provost, the vice president for research, the dean of the graduate school, the deans of the colleges, and the dean of libraries.

(Board approval dates: 4/4/1997, 12/4/1998, 5/7/2004, 6/7/2005, 6/6/2008, 6/6/2014, 11/21/2019)

**3335-5-30 Powers and functions.**

The graduate faculty shall have the following general powers and functions:

- (A) To initiate and to act upon any question affecting the policies of the graduate school or to request consideration and action by the graduate council.
- (B) To receive the annual report of the dean of the graduate school and such other reports as the dean shall submit.
- (C) To perform the functions approved by the graduate council.

(Board approval date: 6/7/2005)

**3335-5-31 Meetings.**

- (A) Meetings of the graduate faculty shall be called by the dean of the graduate school whenever so requested by ten per cent of the regular members of the graduate faculty or by a majority of the members present at any regular meeting of the graduate council.
- (B) The dean of the graduate school shall announce the time, place and purpose of each meeting at least seven days before the date of the meeting. The dean of the graduate school, or designee, shall preside at all meetings of the graduate faculty. All actions of the graduate faculty shall be upon a majority vote of the regular members present. In case of a tie vote on any matter before the graduate faculty, the dean of the graduate school shall cast the deciding ballot. Any action taken pursuant to paragraph (A) of rule 3335-5-30 of the Administrative Code shall be proposed at one meeting of the graduate faculty and acted upon at a subsequent meeting called for that purpose. (Board approval date: 6/7/2005)

**3335-5-32 Graduate council.**

There shall be established a graduate council with the following powers and subject to the following limitations in rules 3335-5-33 to 3335-5-35 of the Administrative Code.

(Board approval date: 6/6/2008)

**3335-5-33 Membership.**

There shall be a graduate council constituted as follows:

- (A) Chair. A faculty chair of the graduate council shall be elected annually by members of the graduate council. The chair will sit on the senate cabinet as defined in the bylaws of the faculty council.



- (B) Faculty members: twelve members of the graduate faculty shall be appointed for terms of three years by the vice provost for graduate studies and dean of the graduate school in consultation with deans and senate faculty leadership (the chair and vice-chair of faculty council, the chair of the senate steering committee, and the university senate secretary). Three of the twelve shall be members of the university senate. Graduate faculty members should have experience as a graduate studies committee chair, department chair, or other significant involvement in graduate education. Nine of the twelve graduate faculty members shall be nominated by the council of deans from lists solicited from the faculty of their respective colleges. Three of the twelve graduate faculty members shall be appointed by the vice provost for graduate studies and dean of the graduate school.
- (C) Alternate faculty members. Each faculty member of the graduate council is expected to attend its meetings regularly. Alternate representatives shall be identified by the council of deans and approved by the vice provost for graduate studies and dean of the graduate school. Alternates shall have the general powers and privileges as of the member represented. Service as an alternate does not make the alternate ineligible for membership in the council the following year.
- (D) Graduate student members. Two graduate students shall be appointed by the council of graduate students. These members shall serve terms of one year and shall be eligible for of three consecutive terms.
- (E) Alternate student members. Each student member of the council is expected to attend its meetings regularly. Alternate representatives shall be identified by the council of graduate students. The alternate shall then have the general powers and privileges as the member represented. Service as an alternate does not make the alternate ineligible for membership in the council the following year.
- (F) One administrator. The vice provost for graduate studies and dean of the graduate school or designee.
- (G) Non-voting members. The president of the council of graduate students and the vice president for research.

(Board approval dates: 4/4/1997, 12/4/1998, 7/11/2003, 5/7/2004, 11/4/2005, 7/6/2006, 6/6/2008, 2/1/2013, 1/30/2015, 5/19/2022, 11/20/2024)

### **3335-5-34 Duties and responsibilities.**

The graduate council shall be the principal advisory body of the graduate school and shall have the following duties and responsibilities:

- (A) To serve as an advisory group to the vice provost for graduate studies and dean of the graduate school.
- (B) To participate in the development of rules, policies, and standards pertaining to graduate education and graduate programs and to act upon any question affecting those policies.
- (C) To participate in the establishment of rules, policies, and standards governing graduate associates and graduate fellowships, including overseeing eligibility and allocation procedures for graduate school fellowships.
- (D) To review proposals for new or revised graduate programs, graduate minors, graduate interdisciplinary specializations and other curricular matters.



- (E) To submit to the council on academic affairs recommendations about adopting or abolishing academic degrees administered by the graduate school.
- (F) To provide oversight for interdisciplinary graduate programs.
- (G) To make recommendations about establishing and abolishing academic centers and other comparable organizations that are engaged in graduate education and make recommendations for determining the membership and authorities of their boards or governing bodies.
- (H) To approve, modify, or reverse any action taken by its standing or ad hoc committees.

(Board approval date: 6/6/2008)

**3335-5-35 Committees.**

- (A) There shall be one standing committee: curriculum. The committee will be chaired by a graduate faculty member of the committee.
- (B) There shall be ad hoc committees to address issues requiring specific expertise. Ad hoc committees shall be convened at the discretion of the vice provost for graduate studies and dean of the graduate school or graduate council.

(Board approval date: 6/6/2008)

**3335-5-36 Emeritus Faculty.**

- (A) Full-time tenure-track, clinical/teaching/practice research, or associated faculty may request emeritus status upon retirement or resignation at the age of sixty or older with ten or more years of service or at any age with twenty-five or more years of service.
- (B) The request for emeritus status is made to the tenure initiating unit (TIU) head, except that for associated faculty with appointments at regional campuses, the request for emeritus status is made to the regional dean. The process for awarding emeritus status shall be described in the TIU/regional campus appointments, promotion and tenure document. The executive vice president and provost must approve requests for emeritus status for faculty who do not otherwise meet the qualifications in 3335-5-36 (A). Emeritus status is recommended by the TIU head, the dean, and the executive vice president and provost, and approved by the board of trustees.
- (C) Emeritus faculty, in keeping with the honorific nature of the title, are not expected to perform faculty duties (under rule 3335-5-07), nor do they retain the specific powers of the faculty (under rule 3335-5-14). Emeritus faculty may not vote at any level of governance and may not participate in promotion and tenure matters but may have such other privileges as individual academic units or the university may provide.
- (D) If emeritus status is requested but denied by the TIU head/regional dean, the decision can be appealed in writing to the dean or executive vice president and provost for units for which the dean is the TIU head. If the request for emeritus status or an appeal is denied by the dean, the decision can be appealed in writing to the executive vice president and provost, who shall make the final decision. Every effort shall be made by the dean and executive vice president and provost to conclude all decisions on appeals within 60 days.
- (E) In lieu of the process described in rule 3335-5-04, the president, subject to the approval of the board of trustees, shall have the authority to revoke emeritus status if an emeritus faculty member at any



time engages in serious dishonorable conduct in violation of law, rule, or policy and/or causes harm to the university's reputation.

(Board approval date: 11/16/2018, 5/31/2019)

### **University Senate**

#### **3335-5-37 Membership.**

There shall be a university senate, a unicameral body constituted as follows:

- (A) Voting members: the voting members of the senate (throughout this document the word "senate" shall be taken to mean the university senate) shall consist of:
- (1) Twenty-four administration members
  - (2) Seventy-one faculty members
  - (3) Forty-one student members, consisting of twenty-six undergraduate, ten graduate, and five professional student members.
  - (4) Five staff members.

Any change in the number of members representing administration, faculty, staff or students shall necessitate an adjustment in the total membership in order to maintain to the nearest percentage the ratio of these numbers.

- (B) Non-voting members unless they are already voting members of the senate, holders of the positions listed below shall be non-voting members of the senate. Non-voting members are not entitled to vote on the floor of the senate, but may otherwise participate in all senate deliberations. They shall include the chair and chair-elect of faculty council, senate committee chairs, the president of the alumni association, the secretary and the recording secretary of the university senate, the president and vice-president of the undergraduate student government, the president and vice-president of the council of graduate students, the president and vice-president of the inter-professional council, and the chair and chair-elect of the university staff advisory committee.

(Board approval dates: 7/7/1972, 6/14/1974, 7/9/1976, 7/22/1977, 7/20/1979, 2/3/1984, 2/7/1986, 2/1/1991, 4/7/1995, 5/3/1996, 8/1/1997, 12/4/1998, 4/6/1999, 7/7/2000, 5/6/2005, 5/14/2010, 6/5/2015, 5/31/2019, 5/19/2022)

#### **3335-5-38 Terms of office.**

- (A) Ex officio members serve by virtue of their position and shall have no fixed term of office.
- (B) Faculty members shall serve three-year terms, with one-third being elected each year; they shall be ineligible for one year for reelection after two consecutive terms of service.
- (C) Student members shall serve one-year terms and be eligible for reelection.
- (D) Staff members shall serve two-year terms; they shall be ineligible for one year for reelection after two consecutive terms of service.

(Board approval dates: 7/7/1972, 7/9/1976, 7/22/1977, 4/4/2008, 6/5/2009, 5/31/2019)

### **3335-5-39 Election bylaws.**

The university senate shall have the power to make election bylaws governing election districts and constituencies, dates for assuming office, election procedures, membership certification, and resolution of election appeals; such election bylaws shall not contravene the sections of the Revised Code applying to the university, the "Bylaws of the Board of Trustees," or the "Rules of the University Faculty." The senate election bylaws may be amended pursuant to the procedures specified in rule 3335-5-43 of the Administrative Code.

(Board approval date: 7/9/1976)

### **3335-5-40 Alternate members.**

When a regular member is unable to attend a meeting of the university senate, they shall notify the secretary in advance of the meeting, giving the name of the alternate who will act as a replacement. The alternate so designated shall then have the general powers and privileges in the university senate of the person replaced.

- (A) An administration member shall designate an alternate from the administration.
- (B) A faculty member shall designate an alternate from those elected as alternates in the member's own election district.
- (C) A student member shall designate an alternate from their constituency with the advice and consent of the student's council or governing body.
- (C) Non-voting members (see paragraph (B) of rule 3335-5-37 of the Administrative Code) shall designate their alternates from their respective constituencies or offices.

(Board approval dates: 7/7/1972, 6/14/1974, 5/3/1996, 6/7/2005)

### **3335-5-41 Powers.**

The university senate, subject to the authority of the board of trustees, shall have the power:

- (A) Under delegation by the university faculty as defined in rule 3335-5-19.1 of the Administrative Code
  - (1) to establish the educational and academic policies of the university,
  - (2) to recommend the establishment, abolition, and alteration of educational units and programs of study,
  - (3) to recommend to the board of trustees candidates for honorary degrees,
  - (4) to recommend candidates for degrees and certificates (which power shall be reserved to the faculty and administrative members of the university senate).
- (B) To consider, to make recommendations concerning, and (in pursuance of rules pertaining to the university) to act upon matters relating to the rights, responsibilities, and concerns of students, faculty, administrators, and staff.

(Board approval date: 7/7/1972, 6/6/2014)

**3335-5-42 Procedures for reconsideration.**

Upon petition by ten per cent of the student body or ten per cent of the faculty, the senate shall reconsider any action which it has taken. Upon its own initiative, the senate may also reconsider actions it has taken.

(Board approval dates: 7/7/1972, 7/11/1975)

**3335-5-43 Procedures for altering the organization of the university senate.**

In matters pertaining to an alteration of the organization of the senate:

- (A) The secretary shall provide a written copy of the proposed change to all members and alternates at least two weeks in advance of the meeting at which the proposal is to be considered; and
- (B) An affirmative vote of two-thirds of the members present and voting at that meeting shall be required for passage.

(Board approval date: 4/4/1975)

**3335-5-44 Constituent bodies of the senate.**

Subject only to the provisions listed below in this paragraph, the representatives to the senate of the administration, of the faculty, the students, and the staff shall have the right to meet separately and to organize themselves in whatever manner they shall deem appropriate. As far as the senate is concerned, these bodies represent separate memberships. They may initiate proposals and submit them to the university senate for consideration. The senate, however, shall be independent of these bodies, and its actions shall not need their concurrence nor be subject to their review.

- (A) The members of the administration shall designate to the university senate office one person or officer responsible for submitting to the senate those proposals and recommendations which come in the name of the administration.
- (B) The elected faculty representatives to the senate shall constitute the faculty council. The faculty council shall designate to the university senate office one person or officer responsible for submitting to the senate those proposals and recommendations which come in the name of the faculty council.
- (C) The student representatives to the senate shall designate to the university senate office one person or officer from the undergraduate student government, the council of graduate students, and the inter-professional council, to be responsible for submitting to the senate those proposals and recommendations which come from those respective groups.
- (D) Nothing in the above shall be construed as restricting the right of a principal standing committee or of individual members speaking for themselves to submit proposals for senate action to the steering committee, or directly to the senate.

(Board approval dates: 7/7/1972, 7/21/1978, 2/1/1980, 2/7/1986, 4/4/1997, 5/14/2010)

**3335-5-45 Bylaws of the senate.**

The university senate shall have the power to organize itself and to make such bylaws for its own proceedings as shall not contravene the sections of the Revised Code applying to the university, the

"Bylaws of the Board of Trustees," or the "Rules of the University Faculty." The senate's bylaws may be amended at any time by a majority of senate members present and voting thereon. The bylaws shall also be the subject of review by the rules committee at the beginning of each new autumn session of the senate. The bylaws of the senate are found in chapter 3335-19.

(Board approval dates: 7/7/1972, 4/3/1987)

#### **3335-5-45.1 Presiding officer.**

The president of the university shall be the presiding officer of the university senate. In the absence of the president or at the president's request the executive vice president and provost shall preside.

In the absence of both the president and the executive vice president and provost, the chair of the steering committee shall preside.

(Board approval dates: 7/7/1972, 3/2/1984, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998)

#### **3335-5-45.2 Secretary of the university senate.**

- (A) The secretary of the university senate shall be a tenured member of the faculty, appointed by the president from three nominees submitted by the steering committee. The term of office shall be for three years. Prior service as secretary need not preclude nomination to this office. During the term of office the secretary shall be reassigned for a minimum of fifty per cent of time to the office of the university senate during autumn and spring semesters, and summer term. The secretary of the senate will be evaluated annually by the executive vice president and provost or designee, the chair of the senate steering committee, and the chair of faculty council.
- (B) The responsibilities of the secretary of the university senate will be to:
- (1) Serve as a resource person for members of the university community on matters relating to university governance and to activities of the university senate.
  - (2) Promote active, effective participation in university governance by the members of the constituencies of the university senate.
  - (3) Coordinate the responsibilities of the office of the university senate as described in rule 3335-19-09 of the Administrative Code.
  - (4) Serve as a voting member of the rules committee and a non-voting member of the steering committee of the university senate.
  - (5) Serve as a resource person for university and senate committees.
  - (6) Issue notification of senate meetings, agendas, and reports of senate actions in accordance with rule 3335-19-11 of the Administrative Code.
  - (7) Keep the records of the meetings of the university senate and furnish to the president for report to the board of trustees all matters passed by the university senate requiring board of trustees approval or action.

(Board approval dates: 3/4/1983, 5/5/1988, 5/4/1989, 8/1/1997, 4/7/2000, 8/29/2001, 2/1/2002, 5/14/2010, 6/12/2012, 2/2/2018)

**3335-5-45.3 Faculty ombudsman.**

- (A) The faculty ombudsman shall be a senior member of the tenure-track faculty or an emeritus faculty member, who was a tenured faculty member appointed by the president. Appointments shall be made on the basis of a recommendation made by a search committee consisting of the chairs of faculty council and the steering committee, the secretary of the senate, the provost, and the president. The term of office shall be for one year, and is renewable.
- (1) The faculty ombudsman shall be someone with experience in university governance at the Ohio state university, shall be familiar with university rules and policies, prevalent cultural norms within the institution, precedent, and established university policies and operating procedures.
  - (2) Compensation for the faculty ombudsman will be provided by the office of academic affairs, in the form of course release time or supplemental compensation.
- (B) The responsibilities of the faculty ombudsman will be to:
- (1) Serve as an advisor to faculty to assist them in determining the viability of their complaints and issues.
  - (2) Direct faculty to appropriate offices, committees, and university rules and policies.
  - (3) Serve when appropriate as an informal mediator of early-stage complaints, to mediate as an impartial party rather than as an advocate for faculty involved in complaints.
  - (4) Present an annual report on their activities to faculty council in the autumn term of each academic year.
  - (5) Visibility of the office of the ombudsman will be made available to faculty through venues such as web pages, the ombudsman speaking at new faculty orientation, and through an introduction at the first meetings of senate and faculty council each year.
- (C) Recourse to the ombudsman.
- (1) Recourse to the ombudsman is voluntary and not a prerequisite for consideration of the dispute by the committee on academic freedom and responsibility, the faculty hearing committee, the office of academic affairs, or the office of human resources.

(Board approval dates: 10/29/2009, 6/6/2014)

**3335-5-45.4 University senate faculty leadership.**

- (A) Membership.

The university senate faculty leadership shall consist of four members.

- (1) The chair of the faculty council.
- (2) The chair-elect of the faculty council.
- (3) The chair of the university senate steering committee.

(4) The secretary of the university senate.

(B) Duties and responsibilities.

- (1) Meet year-around to plan, project and assist in expediting university senate business.
- (2) Meet with the university president to enhance communications between faculty and the office of the president.
- (3) Meet with the provost to discuss academic policies, educational policies and the mission of the office of academic affairs.
- (4) Meet with university leadership on an as-needed basis to foster shared governance.
- (5) Suggest nominees to the executive committee of faculty council to fill faculty vacancies in university senate committees.

(Board approval date: 1/30/2015)

**3335-5-46 Senate committees.**

(A) The senate may establish standing and special committees as it deems necessary or desirable.

- (2) The standing committees of the senate are those committees defined in rules 3335-5-47.1, 3335-5-47.3, and 3335-5-48.1 to 3335-5-48.18 of the Administrative Code.
- (3) A special committee is one established to carry out a specified task, at the completion of which it automatically ceases to exist.

(E) Membership.

- (1) The council of graduate students, the inter-professional council, the undergraduate student government, the university staff advisory council, and the faculty council shall select members of their own constituency using procedures adopted by their respective bodies.
- (2) All standing and special committees of the senate shall include at least one faculty senator.
- (3) Unless otherwise specified by the rules, the number of tenure-track faculty on standing committees shall not be less than two-thirds of the faculty membership. Faculty shall be appointed by the executive committee of the faculty council.
- (4) Committee vacancy.
  - (a) The chair will report vacancies to the appropriate nominating source through the office of the university senate. For this rule, a vacancy exists when an elected member is unable to meet the participation requirements defined by the committee.



- (b) When an unexpired term becomes vacant, the vacancy shall be filled in a manner consonant with the original method of committee selection. A member selected to fill such a vacancy shall serve for the duration of the unexpired term.
- (5) The membership of each committee shall be made known through the report of the secretary of the university senate.
- (6) Terms of service.
  - (a) Faculty members shall serve three-year terms and are eligible for immediate reappointment to a second term. Following that they are ineligible for reappointment until one full year has elapsed. Faculty members may not serve as chair of an individual committee for more than three successive years.
  - (b) Unless otherwise specified by the rules, staff members shall serve two-year terms and be eligible for reappointment.
  - (c) Unless otherwise specified by the rules, student members shall serve one-year terms and be eligible for reappointment.
  - (d) Appointed administration members shall serve two-year terms and be eligible for reappointment.
  - (e) Multiyear terms shall, whenever possible, be staggered so that approximately equal proportions of the number of members rotate off the committee each year.
  - (f) Unless otherwise specified by the rules, terms of service of senate committee members shall begin and end on the first day of autumn semester; incoming members may attend meetings as non-voting members as soon as they are appointed or elected.
  - (g) A committee member who misses all committee meetings in a semester may be removed by the committee chair and replaced, as appropriate, by an appointment made by the executive committee of faculty council, student leadership, the office of the president, or other relevant appointing body. Any mitigating circumstances should be reported to the committee chair and the chair should keep and report attendance records to the university senate office and the senate constituencies.
- (7) Student alternates.

Unless otherwise designated by rule, graduate, inter-professional and undergraduate student members of standing and special committees of the senate may have an alternate. The alternate shall be selected from the same constituency as the original appointment. Student members shall advise the chair of the alternate's name prior to the meeting in which the member will be absent. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence.

If the member has speech and debate privileges, the alternate shall retain these privileges in the member's absence. Whenever possible, potential alternates will be identified by appointing authority at the beginning of the academic year.

(F) Duties and responsibilities.

- (1) Senate committees shall report at least annually to the senate at a time and in a manner specified by the steering committee of the senate.
- (2) Senate committees shall define reasonable participation requirements for the conduct of ongoing business.

(D) Operating Procedures and Organization.

- (1) Meetings of standing and special committees of the senate shall be held in-person, virtually, or in a hybrid format. Acceptable means of virtual participation include teleconferencing or videoconferencing that allows verification of identity and permits full participation in meetings.
- (2) A simple majority of the voting membership of the senate committee, whether attending in person or virtually, shall constitute a quorum for the conduct of the committee's business.
- (3) Action by senate standing and special committees shall be by vote of a majority of members present, except as otherwise required by these rules or by the latest revision of "Robert's Rules of Order."
- (4) Committee chairs. Except where otherwise specified by the rules, in the spring each committee shall elect a chair from its continuing membership, whose term shall begin the subsequent summer session; committees may also elect a vice-chair or chair-elect.

(Board approval dates: 5/1/1986, 7/10/1997, 2/5/1988, 5/3/1996, 9/1/1999, 4/4/2008, 5/14/2010, 6/30/2012, 6/7/2013, 4/8/2016, 2/10/2022)

**3335-5-47.1 Steering committee.**

(A) Membership.

The steering committee shall consist of eighteen members.

- (1) Fifteen voting members.
  - (a) Six faculty members elected by faculty council as specified in the faculty council bylaws. Elected faculty members shall serve two-year terms and are eligible for immediate reelection or reappointment to a second term. Following that they are ineligible for reelection or reappointment until one full year has elapsed.
  - (b) The chair of faculty council. The chair-elect of the faculty council shall have full voting privileges if the chair cannot attend.
  - (c) Four student representatives.
    - (i) The president of the council of graduate students. The vice president of the council of graduate students or another designee who is a member of the university senate may attend steering committee meetings with full voting privileges if the president cannot attend.





- (ii) The president of the inter-professional council. The vice president of the inter-professional council or another designee who is a member of the university senate may attend steering committee meetings with full voting privileges if the president cannot attend.
      - (iii) The president of the undergraduate student government. The vice president of the undergraduate student government or another designee who is a member of the university senate may attend steering committee meetings with full voting privileges if the president cannot attend.
      - (iv) An undergraduate student who is a member of the university senate and who is appointed by the vice president of the undergraduate student government. The student shall serve a one-year term and are eligible for reappointment.
    - (d) Three administrators.
      - (i) The president of the university.
      - (ii) The executive vice president and provost.
      - (iii) A dean appointed by the president who shall serve a two-year term and is eligible for immediate reelection or reappointment to a second term. Following that they are ineligible for reelection or reappointment until one full year has elapsed.
    - (e) The chair of the university staff advisory committee. The chair-elect of the university staff advisory committee shall have full voting privileges if the chair cannot attend.
  - (2) Three nonvoting members.
    - (a) The secretary of the university senate.
    - (b) The chair-elect of faculty council.
    - (b) The chair-elect of the university staff advisory committee.
  - (3) All members shall be current university senators during the first year of their term but may continue to serve after their senate term concludes.
- (B) Duties and responsibilities.
- (1) Be the senate's committee on committees: the steering committee shall have the power to call, by vote of nine of its members, a special meeting of the senate, and shall have such power and duties as the senate may delegate to it during periods when the senate is not in session. It may create subcommittees and may delegate to them any of its powers, functions, and duties.
  - (2) Review the structure, operation, and effectiveness of the senate and its committees. It shall receive suggestions, review proposed rule changes, and initiate recommendations for change in the structure and operation of the senate, including structure, duties, and responsibilities of senate committees, without, however, in any way restricting the senate's



authority to alter its operations by other means. The steering committee may also review other proposed rule changes prior to presentation to the senate.

- (3) Serve as a channel of communication between the senate and the president and the board of trustees. Members shall be an advisory group available to both the president and the board of trustees for advice and counsel on any matter relating to the operation and development of the university. The members of the steering committee may request and obtain a meeting with the board of trustees.
- (4) Meet at least once every year with the chair of each standing committee that does not report to senate through faculty council.

(C) Organization.

- (1) For the period of time beginning with the election of steering committee members in spring semester and ending with the start of the autumn semester, the steering committee shall include its newly elected members as non-voting members.
- (2) The committee shall annually elect a chair from its faculty membership.
- (3) As a standing committee of the senate, it is also governed by the provision of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 7/11/1986, 2/5/1988, 4/7/1989, 11/2/1990, 11/4/1994, 5/3/1996, 4/4/1997, 12/4/1998, 6/7/2005, 5/14/2010, 6/7/2013, 6/5/2015, 5/31/2019, 5/19/2022)

**3335-5-47.3 Rules committee.**

(A) Membership.

The rules committee shall consist of eleven members.

- (1) Six faculty senators appointed by the executive committee of the faculty council
- (2) Three students.
  - (a) One graduate student.
  - (c) One professional student.
  - (c) One undergraduate student.
- (3) One staff senator, appointed by the university staff advisory committee.
- (4) The secretary of the university senate.
- (4) Three non-voting, ex-officio members.
  - (a) Executive vice president and provost or designee.
  - (b) Senior vice president and general counsel or designee.
  - (c) Recording secretary of the university senate.

(B) Terms of Service.



- (1) Faculty members shall serve three-year terms.
- (2) Staff members shall serve two-year terms.
- (3) Student members shall serve one-year terms.
- (4) Members shall be senators during the first year of their term but may continue to serve on the rules committee after their senate term concludes.
- (5) Members who are senators are eligible for immediate reelection or reappointment to a second term. Following that they are ineligible for reelection or reappointment until one full year has elapsed.
- (6) The chair shall be a faculty member and may not serve as chair for more than three successive years.

(C) Duties and responsibilities.

- (1) Be responsible, in cooperation with the secretary of the university senate, for the monitoring of the "Rules of the University Faculty" and of all statutes and bylaws pertaining to the senate.
- (2) Ensure that all published rules and bylaws within the senate's purview are up to date, and recommend their republication at such intervals as may be desirable.
- (3) Make recommendations for the revision of the procedural rules of the senate.
- (4) Before senate action, the committee shall receive all proposed new rules and changes in existing rules. It shall review them and recommend such editorial or other changes it deems necessary to avoid conflict with other rules, to enhance clarity and precision, and to avoid ambiguity.
- (5) Initiate rules or changes in existing rules and recommend them to the steering committee for scheduling for senate action.
- (6) The secretary of the university senate in agreement with the rules committee may make non-substantive corrections in diction and grammar, and is authorized to correct names of offices, officers, units, credentials or constituents in the bylaws and in the rules without deliberation by the university senate nor by the board of trustees.

(D) Organization.

As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 7/11/1986, 2/5/1988, 2/4/1993, 11/4/1994, 5/3/1996, 2/2/2001, 6/7/2005, 5/14/2010, 6/6/2014, 5/31/2019, 2/27/2020, 2/10/2022)

**3335-5-48.1 Council on academic affairs.**

(A) Membership.



The council on academic affairs shall consist of eighteen members.

- (1) Ten faculty.
  - (a) Six faculty, at least two of whom are members of the senate, selected by the faculty council.
  - (b) Four faculty appointed by the president.
- (2) Five students.
  - (a) Two graduate students.
  - (b) One professional student.
  - (c) Two undergraduate students.
- (3) One academic advisor, appointed by the dean of undergraduate education. The term of service is two years.
- (4) Two administrators.
  - (a) The executive vice president and provost, or designee.
  - (b) A college-level curricular dean, appointed by the executive vice president and provost. The term of service is two years.

(B) Duties and responsibilities.

- (1) Make recommendations to the senate concerning the educational and academic policies of the university (see rule 3335-5-41 of the Administrative Code). This responsibility shall include, but shall not necessarily be limited to, the power to make recommendations concerning the establishment, alteration and abolition of all curricula and courses offered by the university or any division thereof; of all degrees and certificates conferred under authority of the university or any division thereof; and of all colleges, departments, and schools. It may conduct such investigations and appoint such committees as are reasonably necessary to carry out its responsibilities under these rules. Committees appointed by this council may be discharged by it at any time.
- (2) Initiate recommendations to the senate and review all proposed changes in the educational and academic policies of the university. In reviewing proposed changes, the council shall:
  - (a) Receive from the various colleges and schools, pursuant to the exercise of their powers under rule 3335-5-14 of the Administrative Code, proposals for the establishment, alteration or abolition of courses and curricula, of departments, schools, and divisions within a college, and of academic degrees. (See rules 3335-3-37, 3335-8-02, and 3335-8-03 of the Administrative Code);
  - (b) Receive from the graduate school, pursuant to the exercise of powers conferred upon the graduate council by rule 3335-5-35 of the Administrative Code, its proposals for the adoption, alteration or abolition of graduate-credit courses and curricula, and of academic degrees administered by it. (See rules 3335-8-02 and 3335-8-03 of the Administrative Code.)



Upon proposals respecting courses and curricula, the council shall act with finality subject to the rights of the graduate school or of any college to bring the council's decision before the senate for review. With respect to other submissions to it, the council shall make its recommendations to the senate after notice thereof, in at least abbreviated form, has been given in the official bulletin. Failure of the council on academic affairs to act or to submit its recommendations will not deprive the senate of power to review these other submissions.

- (3) Foster, as needed for interdisciplinary programs involving two or more academic areas, the establishment of faculty coordinating units reporting to the council. These units shall perform coordinative functions similar to those of the faculty of the college of arts and sciences (see rule 3335-5-27 of the Administrative Code) and shall serve the interdisciplinary interest of academic programs both within and among the several colleges of the university.

- (4) Appoint "ad hoc" arbitration committees to help solve problems created by any major reorganization of the academic structure of the university. The role of such committees shall be:

- (a) To encourage discussion between and within groups of faculty members of departments or schools when it is apparent that relocation in a different organizational environment is a source of concern to some of these groups;
- (b) To hear viewpoints and where necessary to take the lead in the arbitration of problems of individuals or groups who feel their professional development may be adversely affected by the revised organization.

If agreement cannot be reached by consultation or arbitration, an arbitration committee may make a recommendation to the senate through the council on academic affairs on what should be done to solve the problem at issue from the standpoint of what is best for the university.

- (5) Review the academic organization of the university at five-year intervals to make certain it is kept as closely attuned as possible to changing needs. Any suggestions for modifications and improvements shall be reported to the senate.
- (6) Formulate and announce a procedure to be followed in the establishment, alteration or abolition of courses or curricula.
- (7) Review the administration's proposals following the determination of a state of financial exigency as provided under rule 3335-5-02.1 of the Administrative Code.

(C) Organization.

- (1) The chair of the council shall be elected for a one-year term by the council from the membership of the council. The vice chair of the council shall be elected for a one-year term by the council from the membership of the council. The chair (or in that person's absence, the vice chair) shall preside at all meetings of the council.
- (2) Reports by the council on academic affairs to the president, other than those made through the senate, shall be made by the chair through the executive vice president and provost.
- (3) As a standing committee of the senate, this council is also governed by the provisions of rules 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 11/2/1990, 2/4/1993, 11/4/1994, 4/7/1995, 5/5/1995, 12/1/1995, 5/3/1996, 4/4/1997, 12/4/1998, 5/7/1999, 6/4/2004, 6/7/2005, 2/1/2013, 6/6/2014, 5/31/2019)

**3335-5-48.2 Library Committee.**

(B) Membership. The library committee shall consist of thirteen members.

- (1) Six faculty.
- (2) Three students.
  - (a) One graduate student.
  - (b) One professional student.
  - (c) One undergraduate student.
- (3) Three administrators.
  - (a) The dean of university libraries.
  - (b) Chief information officer (or their designees)
  - (c) The vice president for research (or their designees).
- (4) One staff member, appointed by the dean of the university libraries in consultation with the university staff advisory committee.

(C) Duties and responsibilities.

- (1) Advise the dean of university libraries in the planning and implementation of programs and policies supporting the educational, research, and service activities of libraries and related units.
- (2) Articulate the library's mission, goals, and needs to the university administration.
- (3) Assist the dean of university libraries in the assessment, improvement, and promotion of library and information services that support the university community.
- (4) Advise the dean of university libraries on agreements with publishers and information vendors that are in the best interest of the university community.
- (5) Advise the appropriate administrative office on the appointment of the dean of university libraries.

(D) Organization.

- (1) The chair shall be elected from among the voting members of the committee.
- (2) As a standing committee of the senate, this committee is governed by the provisions of rules 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 11/2/1990, 2/4/1993, 11/4/1994, 5/3/1996, 4/4/1997, 12/4/1998, 7/12/2002, 6/7/2005, 9/9/2011, 4/4/2014, 5/31/2019, 11/21/2019, 5/19/2022)

**3335-5-48.3 Committee on Academic Technology**

(A) Membership. The committee on academic technology shall consist of seventeen members.

- (1) Eight faculty
- (2) Three students
  - (a) One graduate student
  - (b) One professional student
  - (c) One undergraduate student
- (3) Three administrators (or their designees)
  - (a) The chief information officer
  - (b) The executive vice president for research, innovation and knowledge
  - (c) The chief digital learning officer
- (4) Three staff members. Two staff members shall be appointed by the university staff advisory committee, and one by the chief information officer.

(B) Duties and Responsibilities

- (1) Advise the chief information officer in the planning and implementation of academic technology programs and policies, including those pertaining to education, research and service activities.
- (2) Assist the university administration in the identification, review, and improvement of academic technology infrastructure.
- (3) Advocate for academic technology infrastructure that is inclusive, affordable, accessible, and user-friendly for faculty, students, and staff.
- (4) Advise the appropriate administrative office on the appointment of the chief information officer and the chief digital learning officer.

(C) Organization

- (1) The chair shall be elected from among the voting members of the committee.
- (2) As a standing committee of the senate, this committee is governed by the provisions of rules 3335-5-46 of the Administrative Code.

(Board approval dates: 5/19/2022, 5/16/2024)

**3335-5-48.4 Council on student affairs.**

(A) Membership.

The council on student affairs shall consist of twenty-two members.



- (1) Six faculty, at least two of whom are members of the senate. The term of service begins in summer session.
- (2) Ten students. The term of service begins in summer session.
  - (a) Three graduate students.
  - (b) Two professional students.
  - (c) Four undergraduate students. Two of these students shall have a term of service of one year. Two of these students shall have a term of service of two years, with one student selected each year.
  - (d) One student from a regional campus selected by the undergraduate student government.
- (3) Three staff members, appointed by the vice president for student life. The term of service is one year and begins in summer session.
  - (a) One non-voting student affairs staff member to act as the secretary for the council.
  - (d) A student affairs staff member from a regional campus.
  - (c) A college office student affairs staff member.
- (4) Three administrators, non-voting.
  - (a) The vice president for student life or designee.
  - (e) The associate vice president for student life for planning and student development.
  - (c) The director of student activities or designee.
- (5) Alternates.

Members of the council on student affairs may have an alternate. The alternate shall be selected in the same manner as the original appointment. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence.

(B) Duties and responsibilities.

- (1) Initiate recommendations and review proposals regarding policies that may affect the quality of student life.
- (2) Make regulations pursuant to the rules of the university faculty, the bylaws, and the statutes, insofar as they pertain to the quality of student life.
- (3) Advise the vice president for student life regarding the programs, services, and activities of the division.
- (4) Establish study groups, committees, and other mechanisms as needed to explore issues affecting the quality of student life and make recommendations regarding these issues to the vice president for student life, the senate, and other appropriate groups.





- (5) Advise other university departments and administrative units regarding proposed changes within those departments and units that may affect student rights and responsibilities.
- (6) Approve policies that govern the registration, rights, privileges, and obligations of student organizations, including but not limited to fraternities and sororities, student publications, and student government. This responsibility may be delegated by the council to appropriate committees or administrative agencies.
- (7) Serve as a channel of communication for the work of all other committees, permanent and ad hoc, that address issues within the domain of the council on student affairs and establish mechanisms by which such committees report regularly to the council on student affairs and through it to the university senate.
- (8) Conduct periodic reviews of the application of the "Code of student conduct." Recommend to the senate any proposed changes to the "Code of student conduct."
- (9) Serve as the sole administrative body for any student activity fees. This responsibility may be delegated by the council to appropriate committees or administrative agencies.

(C) Organization.

- (1) The chair shall be elected from among the incoming and continuing student members of the committee during the last meeting of spring semester. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary.
- (2) The council shall establish operating procedures to conduct, in an orderly fashion, the functions of the council.
- (3) As a standing committee of the senate, this council is also governed by the provisions of rules 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 11/2/1990, 7/12/1991, 2/4/1993, 7/9/1993, 11/4/1994, 6/2/1995, 5/3/1996, 4/3/1998, 6/4/1999, 6/29/2001, 12/6/2004, 6/4/2004, 3/4/2005, 6/7/2005, 5/14/2010, 6/6/2014, 5/31/2019)

**3335-5-48.5 Athletic council.**

- (A) The athletic council shall consist of sixteen voting members with terms commencing July 1 and completing June 30. Incoming members of the council may attend meetings as non-voting members immediately following appointment.
- (1) Eight faculty members. The term of service is four years.
    - (a) Four faculty members selected by the faculty council.
    - (b) Four faculty members appointed by the president.
  - (2) Four students.
    - (a) One graduate student. The term of service is one year.
    - (f) One professional student. The term of service is one year.



- (c) Two undergraduate students. The term of service is two years with one student selected each year.
  - (3) Two alumni designated by the Ohio state alumni association using procedures adopted by that body. The term of service is four years and the terms are staggered so that one member retires every two years.
  - (4) Two staff members, one selected by the university staff advisory committee and one by the president. The term of service is four years with one staff member selected every two years.
  - (5) Five ex-officio non-voting members or their designees.
    - (a) The director of athletics
    - (g) The vice president of student life
    - (h) The faculty athletics representative (FAR)
    - (i) The director of the student athletics support services office
    - (e) The president of the student-athlete advisory council
- (B) Duties and responsibilities.
- (1) Develop, subject to the general authority of the president and the board of trustees, policies governing intercollegiate athletics, as the agent of the senate. The senate may hold these policies in review.
    - (a) These policies shall guide the administration of the program of intercollegiate athletics by the director of athletics, but the athletic council shall not serve in an administrative or executive capacity.
    - (b) It will consider and establish policy on such matters as the income and expenditures budget, the schedules for seasonal and post-seasonal play in relation to the effect upon the welfare of the athletes, grants and other financial aid to athletes, eligibility of athletes, student grievance procedures and sportsmanship policies related to athletics, awards to athletes, recommended ticket prices, ticket distribution, and public and campus relations of the athletic program.
    - (c) It will consider and establish standing committees, an executive committee, and ad hoc committees to consider athletic matters raised by any member of the university community.
    - (d) Its recommendations and decisions on policy shall be reported to the senate and to the department of athletics.
  - (2) Participate with the president in the selection of a faculty athletics representative (FAR). The FAR shall provide advice and oversight for the intercollegiate athletics program at Ohio state and represent the university and its faculty to the Big10 Conference and the NCAA. The FAR also shall participate in the assurance of academic integrity of the athletics program; monitor the student-athlete experience; participate in the assurance of institutional compliance with NCAA and Big10 conference regulations; and serve as the faculty advisor to the president and the director of athletics concerning the administration of the collegiate athletics program.



- (a) When selecting a new FAR, the athletic council shall prepare a list of no fewer than two tenured faculty members who do not hold any position in the Athletics Department from which the president shall select the FAR.
- (b) Eighteen months before the June 30 end of the FAR final term, the chair of the athletic council shall appoint a nominating committee which shall inform the university community about the position of FAR and invite applications and nominations. Brief recommendations in writing that state the candidate's qualifications for the position are submitted to the nominating committee by any member of the university community. Applications and nominations shall be due in accordance with a schedule established by the nominating committee. Every reasonable effort shall be made to present qualified candidates for vote by the athletic council on or before June first.
- (c) Final approval of the names submitted to the president shall be made by a 2/3 majority of the voting membership of the athletic council. The list shall be presented to the president and every reasonable effort shall be made to appoint the FAR-elect on or before July 1 to allow one year of shadowing and transition between FAR-elect and incumbent. The FAR-elect takes office one year after appointment on July 1.
- (d) The FAR-elect shall shadow the incumbent FAR on selection and attend all meetings without voting rights until their respective terms begin and end on July 1.
- (e) The FAR term is four years beginning July 1. Reappointment for no more than two additional four-year terms is permissible. If an incumbent FAR is eligible for and desires reappointment, at least eighteen months prior to expiration of the term the athletic council shall complete a review of the incumbent's performance. If two-thirds of voting members are in favor of reappointment and the president concurs the FAR shall be reappointed. Otherwise the athletic council shall immediately prepare a list for the president following (B)(2)(a) through (d) of this rule.
- (f) The FAR is an ex-officio non-voting member of the athletic council. The chair of the athletic council or faculty designee shall serve as the FAR with full voting privileges at NCAA, Big10, and other conference meetings if the FAR is unavailable.
- (g) In the event that the FAR does not complete a full term the FAR-elect shall complete the term. The completion of a term does not constitute a four-year term for purposes of the three-term limit in paragraph (B)(2)(e) of this rule. If there is no FAR-elect the chair of the athletic council or designee shall serve as the interim FAR until the appointment of a FAR-elect. Upon notice of a vacancy the athletic council shall immediately prepare a list for the president following (B)(2)(a) through (d) of this rule.

(C) Organization.

- (3) Reports by the athletic council to the president, other than those made through the senate, shall be made through the director of athletics.
- (4) As a standing committee of the senate, this council is governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code.

(Board approval dates: 5/1/1986, 7/11/1986, 2/5/1988, 7/12/1991, 2/4/1993, 7/8/1994, 11/4/1994, 7/7/1995, 5/3/1996, 4/4/1997, 4/3/1998, 6/1/2001, 7/11/2003, 6/7/2005, 6/18/2010, 6/6/2014, 5/31/2019, 6/3/2020)

**3335-5-48.6 Council on enrollment and student progress.**

**(A) Membership.**

The council on enrollment and student progress shall consist of nineteen members.

- (1) Ten faculty.
  - (a) Seven faculty selected by the executive committee of the faculty council.
  - (j) Three faculty appointed by the president.
- (2) Six students.
  - (a) Two graduate students.
  - (b) Two professional students.
  - (c) Two undergraduate students.
- (3) One staff member, appointed by the university staff advisory committee.
- (4) Two administrators. Non-voting, appointed by the executive vice president and provost, or designee, to serve as administrative liaison for the council. One administrator shall represent the Office of Academic Affairs and one shall represent Enrollment Services.

**(B) Duties and responsibilities.**

- (1) Initiate recommendations and review proposals with regard to policies which affect the characteristics of the student body. The council shall address issues with regard to enrollment planning for undergraduate, graduate, and professional student enrollment. In addition, the council shall address issues related to undergraduate students in regard to recruitment, competitive admissions, intra-university transfers, financial aid, and retention, and coordinate any resulting actions with issues concerning graduate and professional students. Recommendations and advice will be provided to appropriate administrators and offices.
- (2) Initiate recommendations and review proposals with regard to policies which affect the processes by which undergraduate students enroll, register, and carry out other administrative functions related to the completion of their coursework and/or degree requirements. Recommendations and advice shall be provided to appropriate administrators and offices.
- (3) Initiate recommendations and review proposals with regard to policies and procedures pertinent to students' passage through the institution, including, but not limited to, the university calendar, student records, approval of transfer credit, and semester, summer term, or session-end validation procedures.
- (4) Encourage the collection of data and participate in the analysis of data which will support the development of informed policies on issues within the council's domain and include a summary of such data in the annual report to the senate.



- (5) Serve as a channel of communication for the work of all other committees, permanent and ad hoc, which address issues within the domain of the council of enrollment and student progress and establish regular mechanisms by which such committees report regularly to the council on enrollment and student progress and through it to the university senate.

(C) Organization.

- (1) The chair and chair-elect shall be elected from among the voting members. The chair-elect shall serve as vice chair.
- (2) Reports by this council to the president, other than those made through the senate, shall be made through the executive vice president and provost.
- (3) As a standing committee of the senate, this council is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 7/11/1986, 6/5/1987, 2/5/1988, 7/8/1988, 11/2/1990, 7/12/1991, 2/4/1993, 3/12/1993, 11/4/1994, 5/3/1996, 4/4/1997, 12/4/1998, 6/7/2005, 5/14/2010, 2/10/2012, 4/7/2017, 5/31/2019)

**3335-5-48.7 Committee on academic misconduct.**

(A) Membership.

The committee on academic misconduct shall consist of sixty-two members.

- (1) Thirty faculty, at least half of whom shall be tenure-track faculty. Faculty members are eligible for reappointment, but may not serve more than two consecutive terms.
- (2) Thirty students.
  - (a) Fifteen graduate students.
  - (b) Fifteen undergraduate students. The term of service shall begin with the summer term.
- (3) Two administrators.
  - (a) The vice president for student life or designee, non-voting.
  - (b) The director of the Office of the Committee on Academic Misconduct, appointed by the executive vice president and provost, who shall not participate in the decisions of the committee. The director may recommend student members for approval by the appointing body, as specified in paragraph (B)(1) of rule 3335-5-46 of the Administrative Code.
- (4) Alternate members.

Faculty and students who have been regular members of the committee during the previous three years shall be eligible to be alternate members, providing they remain at the university in their same category.

(B) Duties and responsibilities.



- (1) Investigate or establish procedures for the investigation of all reported cases of student academic misconduct, with the exception of cases in a professional college having a published honor code, and decide upon suitable disciplinary action. (The term "academic misconduct" is defined in paragraph (A) of rule 3335-23-04 of the Administrative Code.) Instructors shall report all instances of alleged academic misconduct to the committee.
- (2) Investigate all cases of lax or irregular methods of conducting examinations that might tend to promote academic misconduct on the part of students, with the exception of cases in a professional college having a published honor code. The committee shall report its findings in these cases to the executive vice president and provost.
- (3) Serve as a consultant on questions of academic misconduct for any professional college having a published honor code. (Note: this committee shall not have jurisdiction over cases involving student academic misconduct in professional colleges having published honor codes. These colleges shall follow their own codes in investigating reported cases of academic misconduct and in determining suitable disciplinary action. When the action taken involves suspension, dismissal, or entry on the student's permanent record, a recommendation to that effect shall be made to the executive vice president and provost for review and action.)

(C) Organization.

- (1) The committee on academic misconduct is authorized to:
  - (a) Establish panels of its members which will conduct hearings and make decisions with the same authority as the committee itself;
  - (b) Establish rules and procedures to conduct hearings, including the definition of a quorum.
- (2) If the caseload of the committee should from time to time become such that cases cannot be set for hearing within four weeks (excluding periods of examinations or between vacations and recesses between semesters, terms, or sessions), the chair shall be empowered to ask alternate members to serve voluntarily and temporarily as members of hearing panels.
- (3) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 11/2/1990, 7/12/1991, 2/4/1993, 11/4/1994, 5/3/1996, 4/4/1997, 4/3/1998, 6/1/2001, 6/7/2005, 5/14/2010, 6/6/2014, 4/7/2017, 5/31/2019, 5/18/2023)

**3335-5-48.8 Committee on honorary degrees.**

(A) Membership.

The committee on honorary degrees shall consist of seven tenure-track faculty members. There shall be no more than two faculty members from the same college. The term of service is five years.

(B) Duties and responsibilities.

- (1) Establish definite standards of scholarly attainment or of the distinctive applications of such attainment in the service of society by which to judge the qualifications for this honor.



- (2) Establish procedures for the nomination of potential candidates for honorary degrees.
- (3) Receive nominations concerning persons who might be considered for an honorary degree.
- (4) Review thoroughly the achievements and qualifications of all persons nominated.
- (5) Report to the university senate for its consideration and action such persons as have received no fewer than four affirmative votes from the committee membership.
- (6) Keep all deliberations and votes confidential except where publication is necessary for official purposes.
- (7) Deliver the full dossier of each candidate and the nomination report of the committee on honorary degrees to the secretary of the university senate who shall distribute the nomination report to all members of the university senate.
  - (a) This report shall include a statement that conveys the committee's rationale for the nomination, pertinent details concerning the qualifications of the candidate, and the name of the sponsoring department or academic unit.
  - (b) A ballot shall be attached to the nomination report and shall be returned to the secretary of the university senate within a time prescribed on the ballot, but in no case less than two weeks from the date that the committee report is distributed.
  - (c) The secretary of the university senate shall transmit to the president the nominations, together with the appropriate section of the reports from the committee on honorary degrees, for those candidates who are endorsed by a majority of the ballots cast by the members of the university senate.

(C) Organization.

- (1) The executive vice president and provost, or designee, shall serve as liaison between this committee and the president.
- (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 4/3/1987, 2/5/1988, 4/7/1989, 11/2/1990, 2/4/1993, 11/4/1994, 4/4/1997, 7/11/2003, 6/7/2005, 6/6/2014)

**3335-5-48.9 Committee on academic freedom and responsibility.**

(A) Membership.

The committee on academic freedom and responsibility shall consist of eight members during autumn and spring semesters and ten members from May to the beginning of autumn semester.

- (1) Seven faculty, at least four of whom are members of the senate or members-elect at the time of their selection by the faculty council. The term of service begins in the summer term following election and extends through the summer term following the third year of service.
- (2) One graduate teaching, research, or administrative associate.

(B) Duties and responsibilities.

- (1) Study all conditions which may affect the academic freedom or responsibility of the faculty of the university, including, but not limited to:
  - (a) The review of proposed changes in Chapter 3335-6 of the Administrative Code (rules of the university faculty concerning faculty appointment, reappointments, promotion and tenure); and
  - (b) Such changes in the office of academic affairs policies and procedures volume three promotion and tenure as may impinge upon academic freedom, responsibility, or tenure. If the committee finds that any such condition or proposed change adversely affects academic freedom, responsibility, or tenure, it shall report that finding promptly to the senate for its review.
- (2) Hear and investigate complaints by individual faculty members concerning alleged infringements upon academic freedom or responsibility in the university; report findings and recommendations to the parties involved with the hope of mediating a dispute and report to the senate if further action by the senate is appropriate.
- (3) Hear and investigate complaints by individual faculty members concerning alleged improper evaluation under the procedures of rule 3335-5-05 of the Administrative Code.

(C) Organization.

- (1) A quorum consists of four members.
- (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.
- (3) Graduate Student member is recused in cases pertaining to Promotion and Tenure of faculty members.

(Board approval dates: 5/1/1986, 2/5/1988, 2/4/1993, 11/4/1994, 5/3/1996, 7/11/1997, 6/4/2004, 6/7/2005, 6/22/2012, 6/6/2014, 5/31/2019)

**3335-5-48.10 Faculty hearing committee.**

(A) Membership.

The faculty hearing committee shall consist of twenty-four tenured members of the faculty selected by the faculty council. Each elected person shall serve a four-year term as a regular member followed by a one-year term as an alternate member.

(B) Duties and responsibilities.

- (1) Conduct hearings on appeals by respondents charged under rule 3335-5-04 of the Administrative Code following the procedures of this rule.
- (2) Conduct hearings on complaints of alleged improper evaluation based upon reasons or considerations that infringe a constitutional right of the complainant following procedures of paragraph (C)(4) of rule 3335-5-05 of the Administrative Code.





- (3) Conduct hearings on allegations of improper evaluation based upon inadequate consideration of the pertinent facts by the individual(s) making the decision following procedures of paragraph (C)(5) of rule 3335-5-05 of the Administrative Code.
- (4) Conduct hearings on an appeal of a tenured, non-probationary clinical/teaching/practice, or research faculty member because of termination of appointment during financial exigency following procedures of paragraph (B) of rule 3335-5-02.3 of the Administrative Code.

(C) Organization.

- (1) The chair shall select three members of the committee to sit on each hearing panel. If disqualifications or case loading should require their service, alternates may be assigned to hearing panels.
- (2) The chair of the hearing committee shall rule on any objection by any party to the proceedings that a member of the panel should be replaced because of a relationship to one of the parties, a prior or current involvement with the facts or issues, or personal bias which may introduce prejudice.
- (3) A panel member or alternate may recuse himself or herself for any of the reasons stated in paragraph (C)(2) of rule 3334-5-48.10 of the Administrative Code.
- (4) A hearing panel shall select as presiding officer who shall have responsibility to direct the proceedings of the panel, and to advise panel members on such university rules and procedures as the panel members may deem necessary. The presiding officer shall be a member of the panel and faculty hearing committee.
- (5) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 2/3/1989, 2/4/1993, 11/4/1994, 2/29/1996, 5/3/1996, 2/7/1997, 6/7/2005, 9/9/2011, 11/09/2012, 6/6/2014, 5/31/2019)

**3335-5-48.11 Fiscal committee.**

(A) Membership.

The fiscal committee shall consist of twenty-six members.

- (1) Nine faculty members.
  - (a) Eight faculty, at least one of whom is a department chair, and at least two of whom are members of the senate, selected by the faculty council.
  - (a) One faculty appointed by the president.
- (2) Six students. The term of service is two years.
  - (a) One graduate student.
  - (b) One professional student.
  - (c) Four undergraduate students at least two of whom are members of the senate.



- (3) Three staff members. The term of service is three years.
  - (a) Two staff members with extensive fiscal and budgetary experience and expertise, one selected by the faculty council in consultation with the university staff advisory committee, and one selected by the council of deans.
  - (b) One staff member appointed by the president.
- (4) Eight administrators.
  - (E) Two central administration officials appointed by the president. These members are non-voting.
  - (F) The dean of arts and sciences
  - (G) A regional campus dean, selected by the council of deans.
  - (H) Two deans selected by the council of deans.
  - (I) The executive vice president and provost, or designee. This member is non-voting.
  - (J) The senior vice president and chief financial officer, or designee. This member is non-voting.

(B) Duties and responsibilities.

The committee shall have full access to all fiscal documentation necessary to perform the following functions:

- (1) Review, on a continuing basis, the fiscal policies and resources of the university;
- (2) Advise the president on the alternatives and strategies for the long-term and short-term allocation of university resources consistent with maintaining the missions of the university;
- (3) Analyze resources and budgets from an overall university-wide perspective;
- (4) Analyze resources and budgets in detail for centrally supported vice presidential units;
- (5) Advise the president, in the event of an imminent financial crisis, whether a determination of financial exigency is warranted; and
- (6) Report annually to the faculty council and the senate on the budgetary and fiscal condition of the university.

(C) Organization.

- (1) The committee shall annually elect a chair from its faculty membership.
- (2) As a standing committee of the senate, this committee is also governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 2/4/1993, 11/4/1994, 5/3/1996, 7/12/2002, 6/7/2005, 6/2/2006, 6/22/2012, 6/6/2014, 6/3/2016, 5/31/2019, 5/19/2022)

**3335-5-48.12 Faculty compensation and benefits committee.**

(A) Membership.

The faculty compensation and benefits committee shall consist of fifteen members.

- (1) Twelve faculty, at least two of whom are members of the senate.
- (2) Two administrators.
  - (a) The executive vice president and provost, or designee.
  - (b) The vice president for human resources, or designee.
- (3) An emeritus member from the tenure-track faculty appointed annually by the president in consultation with the Ohio state university retirees association.
- (4) Additional non-voting members and consultants from the university, serving at the discretion of the voting members of the committee.

(B) Duties and responsibilities.

Study the adequacy and other attributes of the university's policies and provisions for:

- (1) Salaries, outside professional services and supplemental compensation;
- (2) Retirement benefits, hospitalization and medical insurance and other health benefits, life insurance, other insurance, travel reimbursement, educational benefits, recreational benefits, and other perquisites, benefits, and conditions of faculty employment.

(C) Organization.

- (1) The committee shall designate two standing subcommittees to concentrate, respectively, on:
  - (a) Faculty salaries and related matters;
  - (b) Faculty benefits.
- (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/5/1988, 11/2/1990, 7/12/1991, 2/4/1993, 11/4/1994, 4/4/1997, 12/4/1998, 6/7/2005, 2/1/2013, 6/6/2014, 5/31/2019)

**3335-5-48.13 Government affairs committee.**

(A) Membership.

The government affairs committee shall consist of twelve members.



- (1) Five faculty, at least two of who are senators.
  - (2) Three students
    - (a) One graduate student.
    - (b) One professional student.
    - (c) One undergraduate student.
  - (3) One staff member, appointed by the university staff advisory committee.
  - (4) Three non-voting, ex-officio members.
    - (a) Vice president for government affairs or designee.
    - (b) Senior vice president and general counsel or designee.
    - (c) The secretary of the university senate.
- (B) Duties and responsibilities.
- Review local, state, and federal legislation and regulatory changes that have potential to impact the work of university faculty, students, and staff. Communicate information to and gather feedback from relevant senate committees and constituent groups. Provide information on legislative and policy issues as requested by university senate or any of its committees or constituent bodies. Exchange ideas and insight with the office of government affairs through regular communication, and work with the office to identify faculty, staff, and student expertise when it might support their work on legislative and policy issues. Regularly engage with the office of university compliance and integrity regarding new or potential compliance issues resulting from legislative actions at the local, state and federal levels.
- (C) As a standing committee of the senate, this committee is also governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code.

(Board approval date: 5/16/2024)

**3335-5-48.14 University research committee.**

(A) Membership.

The committee shall consist of twenty-one voting and four non-voting members.

- (1) Fifteen faculty members drawn from no less than eight colleges. Faculty with joint appointments across colleges may be chosen to represent either college. The term of service is three years.
  - (a) Eleven faculty members appointed by the executive committee of faculty council, at least three of whom are members of the senate and at least one of whom is a distinguished university professor or Ohio eminent scholar or National Academy member, and at least two of whom are clinical/teaching/practice or research faculty.
  - (b) Four faculty members appointed by the president.
- (2) One research scientist, or comparable staff member engaged in research, appointed by the vice president for research. The term of service is three years.
- (3) Four students appointed by the respective governing bodies to one-year terms.



- (a) Two graduate students.
    - (b) One undergraduate student.
    - (c) One professional student.
  - (4) One post-doc appointed by the Ohio state university postdoctoral association (OSU PDA). The term of service is one year.
  - (5) Four non-voting members.
    - (a) Executive vice president for research, innovation and knowledge or designee.
    - (b) The dean of the graduate school or designee.
    - (c) The senate fiscal committee chair or designee.
    - (d) One additional post-doc appointed by the OSU PDA.
  - (6) The committee may vote to add any individual to a non-voting advisory role on an annual basis.
- (B) Duties and responsibilities.
- (1) Encourage and stimulate scholarly research and creative activity and foster a close relationship between education and scholarly research.
  - (2) Advise the vice president for research.
  - (3) Review, on a continuing basis, the policies and practices governing the conduct of research and scholarly activity.
  - (4) Coordinate with the governing bodies of the graduate school and with the office of undergraduate research.
  - (5) Make recommendations concerning the establishment, affiliation or abolition of centers or comparable organization that are primarily engaged in research.
  - (6) Collaborate in reviews of the budget of the office of research undertaken by the senate fiscal committee.
- (C) Organization.
- (1) The committee shall annually elect a chair from its faculty membership in the spring semester preceding the academic year of service for no more than three consecutive one-year terms.
  - (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 6/7/1991, 11/4/1994, 5/3/1996, 5/3/2002, 5/7/2004, 6/7/2005, 7/13/2007, 5/14/2010, 6/6/2014, 5/31/2019, 5/16/2024)

**3335-5-48.15 Council on the physical environment.****(A) Membership.**

The council on the physical environment shall consist of sixteen members.

- (1) Seven faculty members.
  - (a) Five faculty members selected by the faculty council.
  - (b) Two faculty members appointed by the president.
- (2) Four students.
  - (a) One graduate student.
  - (b) One professional student.
  - (c) Two undergraduate students, one representing on-campus students and one representing off-campus students.
- (3) Two staff members appointed by the steering committee upon the recommendation of the staff advisory committee.
- (4) Three non-voting administrators or their designees.
  - (a) The senior vice president for administration and planning.
  - (b) The senior vice president for business and finance.
  - (c) The executive vice president and provost.

**(B) Duties and responsibilities.**

- (1) Take a broad and encompassing perspective on the physical environment of the university as it affects the academic enterprise and quality of life for the university community. Propose policies, review and recommend action regarding proposed major projects, and consult with university administration about matters within its domain.
  - (a) Teaching and learning environment: adequate classroom and teaching laboratory space; priorities for new construction to advance the academic enterprise; and priorities for renovation of academic facilities, especially classrooms and teaching laboratories.
  - (b) Movement around campus: policies and projects to ease movement around campus by all relevant means, including but not limited to pedestrian, bicycle, motorized traffic, and mass transportation; policies and proposals concerning parking, public safety including institutional security, fire safety, risk reduction, and personal safety.
  - (c) The campus and the university district environment: activities undertaken to facilitate campus master planning and to implement the plans adopted; initiatives undertaken to advance the objectives of improving conditions in the university district, and activities of affiliated entities to promote these initiatives.

- (2) Recommend items for senate action, review matters within its purview, hear periodic reports from relevant university organizations and administrative offices, and report annually to the senate.

(C) Organization.

- (1) The committee shall elect a chairperson from among its voting members. A chairperson shall serve a one-year term, and no more than one additional one-year term if reelected.
- (2) As a standing council of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/1/1986, 2/4/1994, 11/4/1994, 2/3/1995, 6/2/1995, 5/3/1996, 6/4/1999, 6/7/2005, 6/6/2014, 5/31/2019)

**3335-5-48.16 Diversity committee.**

(A) Membership.

The diversity committee shall consist of seventeen members.

- (1) Nine faculty.
  - (a) Six faculty selected by the faculty council.
  - (b) Two faculty appointed by the president.
  - (c) The past-chair of the committee, non-voting.
- (2) Three students.
  - (a) One graduate student.
  - (b) One professional student.
  - (c) One undergraduate student.
- (3) Three staff members.
  - (a) Two staff members selected by the university staff advisory committee. The term of service is three years.
  - (b) One staff member appointed by the president. The term of service is three years.
- (4) Two non-voting administrators or their designees.
  - (a) The executive vice president and provost.
  - (b) The associate vice president for human resources.

(B) Duties and responsibilities.

The committee shall study issues that relate to the implementation of the university nondiscriminatory policy. It shall recommend policies that foster an environment of civility, tolerance, and mutual respect. It shall perform the following functions with appropriate administrative support from the office of academic affairs and the office of human resources.

- (1) Study and evaluate issues affecting diversity from an overall university perspective.
  - (2) Be informed on external requirements on the university affecting diversity.
  - (3) Advise the president, the executive vice president and provost, the associate vice president for human resources, and the vice president for student life about the institutional climate, policies, and priorities for ensuring justice, fairness, and equitable treatment to all members of the university.
  - (4) Educate and inform the university community on issues of diversity, including the letter and spirit of all Ohio and federal rules regarding members of protected classes.
  - (5) Oversee administration of university affirmative action grants and awards.
  - (6) Report annually to the university senate.
- (C) Organization.
- (1) The committee shall elect a chair from among its voting members.
  - (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 7/12/1996, 4/3/1998, 12/4/1998, 6/1/2001, 7/6/2005, 5/14/2010, 6/6/2014, 5/31/2019)

**3335-5-48.17 Committee for evaluation of central administrators.**

(A) Membership.

The committee for evaluation of central administrators shall consist of eight members.

- (1) Six tenured faculty members appointed in the spring by the president from a slate nominated by the executive committee of faculty council.
  - (a) The term of service is three years. Members shall not be reappointed to a second term until they have been off the committee for at least two years, except that a member may be reappointed immediately if that person was appointed to fill a vacant position with a remaining term of less than two years.
  - (b) A chair will be elected each spring from among the faculty members serving on the committee.
- (2) Two administrators, appointed by and serving at the pleasure of the president. The term of service is three years.

(B) Duties and responsibilities.



- (1) During spring semester, the executive committee of faculty council, on behalf of the steering committee, shall meet with the president and provost to identify two central administrators for review. All senior central administrators, such as vice provosts and members of the president's cabinet, are eligible to be reviewed.
- (2) The review panels shall be responsible for evaluating the effectiveness of the central administrator and the office in carrying out the responsibilities of the office. The review will begin no later than the start of autumn semester of the following academic year, and finish no later than the end of December.
- (3) The review panel will, after its review and evaluation, present a written report to the president and provost. The review panel will also send a copy of the written report to the person being reviewed and will inform the steering committee that the review process has been completed.
- (4) The chair of the committee shall monitor the activities of the review panels and advise the review panels on matters of procedure.

(C) Organization of review panels.

In the spring preceding the academic year in which the review is to be conducted, the committee shall organize itself into two review panels, each review panel to be organized as follows:

- (1) Three faculty members from the committee, one of whom is designated by the president or provost, in consultation with the committee chair, as chair of the review panel.
- (2) One administrator from the committee.
- (3) One student member appointed by the provost if a vice provost or senior vice provost is under review or by the president if a vice president or senior vice president is being reviewed.
- (4) One staff member appointed by the provost if a vice provost or senior vice provost is under review or by the president if a vice president or senior vice president is being reviewed.
- (5) One to three additional faculty members, if needed, nominated by the committee chair and appointed by the president or provost after consultation with the committee.

(Board approval dates: 2/7/2003, 6/7/2005, 5/14/2010, 9/9/2011, 6/6/2014)

**3335-5-48.18 Graduate associate compensation and benefits committee.**

(A) Membership.

The graduate associate compensation and benefits committee shall consist of eleven voting members.

- (1) Six funded graduate students, one of whom preferably will be a member of the graduate council and one of whom must be a member of the university senate. Each shall have a term of service of one year with reappointment to consecutive terms encouraged.
  - (a) There shall be at least one current or former graduate teaching associate.
  - (b) There shall be at least one current or former graduate research associate.



- (c) There shall be at least one current or former graduate administrative associate.
    - (d) There shall be at least one current or former fellowship recipient.
  - (2) Two faculty.
    - (a) One faculty member from, and selected by, the graduate council.
    - (b) One faculty member, who is also a senator, selected by the executive committee of faculty council.
  - (3) Three administrators.
    - (a) The dean of the graduate school, or designee.
    - (b) The vice president for human resources, or designee.
    - (c) The vice president for research, or designee.
  - (4) One department, school, center or college-level staff member with extensive fiscal and budgetary experience and expertise, selected by the council of deans, non-voting.
  - (5) Additional non-voting members and consultants from the university, serving at the discretion of the voting members of the committee.
- (B) Duties and responsibilities.
- (1) Study the adequacy and other attributes of the university's policies and provisions including stipends, outside professional services, and supplemental compensation.
  - (2) Conduct research and provide advice on economic support of graduate associates, professional development, quality and design of benefit programs, and appointment terms.
  - (3) Make recommendations to the university senate, the graduate council, the graduate school, and the office of academic affairs as appropriate.
- (C) Organization.
- (1) The committee shall annually elect a chair from its regular student membership.
  - (2) As a standing committee of the senate, this committee is also governed by the provisions of rule 3335-5-46 of the Administrative Code.

(Board approval dates: 5/6/2005, 4/6/2007, 2/10/2012, 5/19/2022)

**3335-5-48.19 Committee on intellectual property, patents, and copyrights.**

- (A) Membership. The committee on Intellectual Property, Patents, and Copyrights shall consist of eleven members.



- (1) Eight faculty members: four tenured faculty, two probationary tenure-track faculty, and two clinical/teaching/practice, research, or associated faculty. Each member is to serve three years with one-third of the members rotating off each year.
    - (a) Five faculty members appointed by the executive committee of faculty council.
    - (b) Three faculty members appointed by the university president in consultation with faculty leadership.
  - (2) One graduate student.
  - (3) Two administrators or their designees.
    - (a) The vice president for technology commercialization.
    - (b) Executive vice president for research, innovation and knowledge.
- (B) Duties and responsibilities.
- (1) Review, recommend, and advise the university senate on matters relating to the university policy on intellectual property, patents, and copyright and faculty rules 3335-13-06 and 3335-13-07 of the Administrative Code.
  - (2) Convene at least twice per year to review the procedures used in implementing and administering the university policy on intellectual property, patents and copyrights, and where deemed necessary, develop and recommend changes in standards and procedures to the vice president for technology commercialization, the vice president for research, the executive vice president and provost, and other appropriate officers of the university.
  - (3) Consult with the vice president for technology commercialization, the vice president for research when requested.
  - (4) Serve as a board to which a researcher may appeal actions of the vice president for technology commercialization, subject to appropriate review of the standards and procedures contained in the policy on patents and copyrights.
- (C) Organization.
- (1) The chair shall be elected from among the continuing faculty members of the committee each spring.
  - (2) As a standing committee of the senate, this council is also governed by the provisions of rules 3335-5-46 and 3335-5-48 of the Administrative Code.

(Board approval date: 4/4/2014, 5/16/2024)

**3335-5-49 Other committees of the university.**

- (A) Other committees of the university may be designated by the board of trustees or, subject to the approval of the board of trustees, the president or university senate. These committees shall have no direct affiliation with the senate.
- (B) Unless otherwise specified by rule, the president shall appoint the members of these committees.

(Board approval date: 5/1/1986)

**3335-5-49.4 Ohio faculty council.**

- (A) The university's representation to the Ohio faculty council (OFC) shall be the chair of faculty council and the chair-elect of faculty council. The chair of the university senate steering committee and the secretary of the university senate shall serve as alternates.
- (B) The representatives to the OFC shall report annually to the senate.

(Board approval dates: 7/10/1987, 5/5/1988, 11/4/1994, 3/5/1999)

**Chapter 3335-6 Rules Of the University Faculty Concerning Faculty  
Appointments, Reappointments, Promotion and Tenure**

**3335-6-01 General considerations.**

- (A) Peer review provides the foundation for decisions regarding faculty appointment, reappointment, and promotion and tenure (except when the provisions of paragraph (H) of rule 3335-6-03 of the Administrative Code are invoked.) Peers are those faculty who can be expected to be most knowledgeable regarding an individual's qualifications and performance--normally tenure initiating unit colleagues. Because of the centrality of peer review to these review processes, faculty vested with responsibility for providing peer review have an obligation to participate fully and knowledgeably in review processes, to exercise the standards established in faculty rule 3335-6-02 of the Administrative Code and other standards specific to the academic unit and discipline, and to make negative recommendations when these are warranted to maintain and improve the quality of the faculty. Recommendations by the faculty vested with the responsibility for providing peer review will be accepted unless they are not supported by the evidence presented regarding how the candidate meets the standards established in faculty rule 3335-6-02 of the administrative code and other standards specific to the academic unit and discipline. When, for the reasons just stated, a decision regarding faculty appointment, reappointment, or promotion and tenure differs from the recommendation of the faculty, the administrator or body making that decision will communicate in writing to the faculty body that made the recommendation the reasons that the recommendation was judged not to be supported by the evidence.
- (B) In accordance with a policy of equality of opportunity, decisions concerning appointment, reappointment, and promotion and tenure shall be free of discrimination as to age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, pregnancy, race, religion, sex, sexual orientation, veteran status, or any other bases covered under the law.

(Board approval dates: 10/5/1984, 4/8/1988, 11/2/1990, 5/3/1996, 7/9/2004, 6/5/2009)

**3335-6-02 Criteria for appointment, reappointment, and promotion and tenure of tenure-track faculty.**

- (A) The Ohio state university will be recognized worldwide for the quality and impact of its research, teaching, and service. For purposes of faculty performance reviews under these rules:
  - (1) Research is broadly defined to include discovery, scholarly and creative work, applied research, commercialization, and the scholarship of pedagogy.



- (2) Teaching is broadly defined to include didactic classroom, non-classroom and distance instruction, extension and continuing education, advising, and supervising or mentoring students or postdoctoral scholars.
- (3) Service is broadly defined to include providing administrative service to the university, professional service to the faculty member's discipline, and disciplinary expertise to public or private entities beyond the university.

Each tenure initiating unit is responsible for establishing criteria for appointment, reappointment, and promotion and tenure that are consistent with this mission and for ensuring that every faculty appointment, reappointment, and promotion and tenure recommendation is consistent with this mission.

Appointment decisions for tenure-track faculty positions, as defined in rule 3335-5-19 of the Administrative Code, must be based on criteria that reflect strong potential to attain tenure and advance through the faculty ranks. A minimum requirement for appointment at or promotion to the rank of assistant professor or a higher rank is an earned doctorate or other terminal degree in the relevant field of study or possession of equivalent experience. Appointments at the rank of instructor should normally only be made when the offered appointment is that of assistant professor but the appointee has not completed the required terminal degree at the onset of the appointment. Appointments of tenure-track faculty should occur only after a national search.

- (B) No faculty member attains tenure automatically. Tenure may be acquired either in the original appointment to the tenure-track faculty rank of associate professor or professor or upon promotion from within the university to the rank of associate professor, or following a successful probationary period at the rank of associate professor or professor as specified in rule 3335-6-03 of the Administrative Code. Tenure will not be awarded below the rank of associate professor.
- (C) The awarding of tenure and promotion to the rank of associate professor must be based on convincing evidence that the faculty member has achieved excellence as a teacher, as a scholar, and as one who provides effective service; and can be expected to continue a program of high quality teaching, scholarship, and service relevant to the mission of the academic unit(s) to which the faculty member is assigned and to the university. Promotion to the rank of professor must be based on convincing evidence that the faculty member has a sustained record of excellence in teaching; has produced a significant body of scholarship that is recognized nationally or internationally; and has demonstrated leadership in service.
- (D) In evaluating the candidate's qualifications in teaching, scholarship, and service, reasonable flexibility shall be exercised, balancing, where the case requires, heavier commitments and responsibilities in one area against lighter commitments and responsibilities in another. In addition, as the university enters new fields of endeavor, including interdisciplinary endeavors, and places new emphases on its continuing activities, instances will arise in which the proper work of faculty members may depart from established academic patterns. In such cases care must be taken to apply the criteria with sufficient flexibility. In all instances superior intellectual attainment, in accordance with the criteria set forth in these rules, is an essential qualification for promotion to tenured positions. Clearly, insistence upon this standard for continuing members of the faculty is necessary for maintenance and enhancement of the quality of the university as an institution dedicated to the discovery and transmission of knowledge.
- (E) Each tenure initiating unit shall have an appointments, promotion, and tenure document. The document shall describe, in qualitative terms, the unit's criteria for appointments, promotion, and tenure and evidence to be provided to support a case within the context of the unit's mission and the

standards set forth in this rule as well as the mission and standards of the college. The document should indicate with some specificity how the quality and effectiveness of teaching, the quality and significance of scholarship, and the quality and effectiveness of service are to be documented and assessed. The document of a tenure initiating unit with regional campus faculty must establish criteria for appointments, promotion, and tenure for these faculty within the context of the regional campuses' mission as well as that of the tenure initiating unit. The document shall also describe the unit's procedures for conducting annual performance reviews of probationary faculty and reviews for promotion and tenure.

The document must be drawn up or amended through broad faculty consultation with all voting members of the tenure initiating unit according to the principles articulated in paragraph (C)(3) of rule 3335-3-35 of the Administrative Code and must be approved by the dean of the college and the executive vice president and provost.

- (F) Each college shall have an appointments, promotion, and tenure document. The document shall describe, in qualitative terms, the college's criteria for appointments, promotion, and tenure within the context of the college's mission and the standards set forth in this rule. The document shall also describe the college's procedures for conducting college level reviews for promotion and tenure.

The document must be drawn up through broad faculty consultation and must be approved by the executive vice president and provost.

(Board approval dates: 10/5/1984, 7/7/1989, 5/3/1996, 4/4/1997, 12/4/1998, 7/12/2002, 6/4/2004, 6/7/2005, 4/6/2012, 6/6/2014, 6/8/2018)

### **3335-6-03 Probationary service, and duration of appointments for tenure-track faculty.**

- (A) Probationary periods are established for tenure-track faculty members. During a probationary period a faculty member does not have tenure and is considered for reappointment annually.
- (B) Length of probationary period.

- (1) An appointment as professor or associate professor will generally entail tenure. However, a probationary period not to exceed four years may be granted by the office of academic affairs upon petition of the tenure initiating unit and college. For the petition to be approved, a compelling rationale must be provided regarding why appointment at a senior rank is appropriate but tenure is not. All appointments to the rank of associate professor or professor require prior approval of the executive vice president and provost.

An appointment to the rank of instructor is always probationary and may not exceed three years. An instructor must be approved for promotion to assistant professor by the beginning of the third year of appointment or the appointment will not be renewed beyond the end of the third year. When an instructor is promoted to the rank of assistant professor, prior service credit may be granted for time spent as an instructor if the faculty member requests such credit in writing at the time of the promotion. This request must be approved by the tenure-initiating unit's eligible faculty, the tenure-initiating unit head, the dean of the college, and the office of academic affairs.

An appointment to the rank of assistant professor is always probationary and may not exceed six years, including prior service credit. An assistant professor is reviewed for promotion and tenure no later than the sixth year of appointment as an assistant professor and informed by the end of the sixth year as to whether promotion and tenure will be granted at the beginning of the seventh year.



- (2) Promotion and tenure may be granted at any time during the probationary period when the faculty member's record of achievement merits tenure and promotion. Similarly, a probationary appointment may be terminated at any time subject to the notice provisions of rule 3335-6-08 of the Administrative Code and the provisions of paragraphs (G) and (H) of this rule.
  - (3) Probationary tenure-track faculty members will be informed no later than the end of the year in which their mandatory review for tenure takes place as to whether tenure will be granted by the beginning of the following year. If tenure is not granted, a one year terminal year of employment is offered.
- (C) Annual review of probationary tenure-track faculty members.
- (1) At the time of appointment, probationary tenure-track faculty members shall be provided with all pertinent documents detailing tenure initiating unit, college, and university promotion and tenure policies and criteria. If these documents are revised during the probationary period, probationary tenure-track faculty members shall be provided with copies of the revised documents.
  - (2) During a probationary period a tenure-track faculty member shall be reviewed annually in accordance with this rule and with policies of the tenure initiating unit, college and university. The annual review should encompass the faculty member's performance in teaching, in scholarship, and in service; as well as evidence of continuing development. The involvement of tenure initiating unit faculty in annual reviews is strongly encouraged. External evaluations of the faculty member's work, required for tenure and promotion reviews, may be obtained for any annual review if judged appropriate by the faculty review body or tenure initiating unit chair. The tenure initiating unit chair shall inform probationary faculty members at the time of initial appointment, and in a timely fashion each year thereafter, when the annual review will take place and provide a copy of the office of academic affairs dossier outline to be completed by the faculty member in reporting accomplishments to date. At the completion of the review the tenure initiating unit chair shall provide the faculty member and the dean of the college with a written assessment of the faculty member's performance and professional development. The assessment should include both strengths and weaknesses, as appropriate. If the chair's recommendation is to reappoint the faculty member to another probationary year of service, that recommendation shall be final. A recommendation from the chair to not reappoint the faculty member to another probationary year requires a review that follows fourth year review procedures (see paragraph (G) of this rule) and the dean shall make the final decision in the matter. All annual review letters to date shall become a part of a faculty member's dossier for subsequent annual reviews during the probationary period, including the review for promotion and tenure.
  - (3) When probationary tenure-track faculty receive their annual review, the tenure initiating unit chair shall inform them of their right to review their primary personnel file maintained by their tenure initiating unit and to place in that file a response to any evaluation, comment or other material contained in the file (see paragraph (C)(8) of rule 3335-3-35 of the Administrative Code).
  - (4) The fourth year review of probationary tenure-track faculty shall follow the same process as the review for tenure and promotion at the tenure initiating unit and college levels with two exceptions: Solicitation of external letters of evaluation may or may not be required by the tenure initiating unit and review by the college promotion and tenure committee shall be optional in all cases where both the tenure initiating unit and the dean approve the renewal



of the appointment. Renewal of the appointment of a probationary assistant professor for the fifth year requires the approval of the dean of the college. Before reaching a negative decision or a decision contrary to the tenure initiating unit's recommendation, the dean must consult with the college promotion and tenure committee.

(D) Exclusion of time from probationary periods.

- (1) There are three circumstances under which probationary tenure-track faculty may obtain an exclusion of time from probationary periods, also known as extending the tenure clock. These exclusions recognize factors that impact the ability to meet the criteria for tenure within the probationary period outlined in paragraph (B) of this rule. A request to exclude time from the probationary period for any of the reasons listed in paragraphs (D)(1)(a) to (D)(1)(c) of this rule must be made prior to April first of the year in which the mandatory review for tenure is scheduled.
  - (a) A probationary tenure-track faculty member will have one year excluded from the probationary period for the birth or the adoption of a child. The maximum time that can be excluded per birth or adoption is one year. This exclusion is guaranteed provided the faculty member informs the TIU head in writing within one year of the birth or adoption, unless the exclusion is prohibited in paragraph (D)(3) of this rule. It is the responsibility of the TIU head to inform the college dean and office of academic affairs of the birth or adoption. The probationary faculty member may decline the one-year exclusion by informing the TIU head in writing before April first of the original mandatory review year.
  - (b) A probationary tenure-track faculty member may apply to exclude time from the probationary period in increments of one year because of personal illness, care of a seriously ill or injured person, an unpaid leave of absence, or factors beyond the faculty member's control that hinder the performance of the duties associated with being a successful faculty member, i.e., teaching, scholarship, and service. For faculty members requesting an exclusion due to personal illness or care of a seriously ill or injured person, requests shall be made in writing to human resources which will work with the TIU head to determine the necessary documentation. Requests to exclude time from the probationary period due to unpaid leave or factors beyond the faculty member's control must be submitted in writing to the TIU head within one year of the unpaid leave or the extenuating factors. Such requests shall be reviewed by the TIU promotion and tenure committee, which will advise the TIU head on the appropriateness of the request. In units that do not have a promotion and tenure committee, the eligible faculty shall review the request. All requests require approval by the TIU head, dean, and executive vice president and provost. The extent to which the event leading to the request was beyond the faculty member's control and the extent to which it interfered with the faculty member's ability to be productive will be considered in granting or denying the request.
  - (c) Probationary tenure-track faculty members on less than full-time service for part or all of their probationary period may request an exclusion of time. Such requests require approval of the TIU head, dean, and executive vice president and provost. The exclusion shall be for an integer number of years based on the principle that the usual probationary period represents full-time service. The maximum exclusion of a probationary period for less than full-time service is one year for a probationary instructor, three years for a probationary assistant professor and two years for a probationary associate professor or professor.





- (2) A request to exclude time from the probationary period for any reason will not be granted after a nonrenewal notice has been issued nor will previously approved requests to exclude time from the probationary period in any way limit the university's right not to renew a probationary appointment.
  - (3) Except in extraordinary circumstances, a maximum of three years can be excluded from the probationary period for tenure track faculty for any reason or combination of reasons covered in the provisions in paragraphs (D)(1)(a) and (D)(1)(b) of this rule. For probationary faculty who are on appointments of less than full time, the maximum is four years for an instructor, six years for an assistant professor, and five years for an associate professor or professor for any reason or combination of reasons covered in the provisions in paragraphs (D)(1)(a), (D)(1)(b), and (D)(1)(c) of this rule. Exceptions require the approval of the tenure initiating unit chair, dean, and executive vice president and provost.
  - (4) Tenure-track faculty members will be reviewed annually during their probationary periods regardless of whether time is excluded from that period for any of the above reasons unless their absence from campus during an excluded period makes conduct of such a review impractical.
  - (5) For purposes of performance reviews of probationary faculty, the length of the probationary period is the actual number of years of employment at this university less any years of service excluded from the probationary period under the terms of this rule. Expectations for productivity during the probationary period cannot be increased as a consequence of exclusions of time granted under the terms of this rule. Probationary faculty who are on part-time appointments should be reviewed in the context of their reduced duties.
  - (6) The exclusion of time granted under for reasons specified in this rule in no way limits the award of promotion and tenure prior to the mandatory review year.
- (E) Service credit of up to three years may be granted for prior work experience at the time of the initial appointment and requires the approval of the tenure initiating unit chair, dean, and executive vice president and provost. Prior service credit shortens a probationary period by the amount of the credit and once granted cannot be revoked except through an approved request to exclude time from the probationary period.
- (F) Probationary appointments may be terminated during any probationary year because of inadequate performance or inadequate professional development. At any time other than the fourth year review or mandatory review for tenure, a nonrenewal decision must be based on the results of a formal performance review conducted in accord with fourth year review procedures as set forth in paragraph (C)(3) of this rule. Notification of nonrenewal must be consistent with the standards of notice set forth in rule 3335-6-08 of the Administrative Code.
- (G) Probationary appointments may be terminated for fiscal or programmatic reasons. When nonrenewal is based on fiscal or programmatic reasons, the faculty member should be advised that such nonrenewal is a possibility and formal notice of nonrenewal should be provided as soon as possible after the need for nonrenewal is established. Nonrenewal of a probationary appointment for fiscal or programmatic reasons does not entail a performance review and requires the prior approval of the executive vice president and provost. Because hiring decisions should be based on informed assumptions regarding the future availability of resources and of programmatic needs, approval of such nonrenewals will be based on the extent to which convincing evidence is provided that the fiscal or programmatic reasons for the nonrenewal could not be anticipated when the appointment was made and are expected to be long lasting.

- (H) Decisions affecting the nonrenewal of a probationary appointment may not be arbitrary or capricious or carried out in violation of a faculty member's right to academic freedom. Faculty rule 3335-5-05 of the Administrative Code provides a procedural mechanism under which an aggrieved probationary faculty member can challenge a nonrenewal decision believed to have been improper. In that instance, however, the burden of proof is on the probationary faculty member to establish that the nonrenewal decision was improper. (See also rule 3335-6-05 of the Administrative Code).

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#### **3335-6-04 Promotion and tenure review procedures for tenure-track faculty.**

- (A) General considerations.

- (1) In consultation with the rules committee or its designee, the office of academic affairs shall develop and promulgate procedural guidelines for promotion and tenure reviews to supplement Chapter 3335-6 of the Administrative Code. These guidelines shall include a dossier outline to be used for the documentation of accomplishments by all candidates to be reviewed for promotion and tenure and by all probationary tenure-track faculty for annual reviews. The guidelines shall also include general information about the review process at the college and university level, information about any legal considerations affecting promotion and tenure evaluations, examples of criteria by which candidates for promotion and tenure are evaluated, and other information intended to assist academic units in carrying out reviews.
- (2) All candidates for promotion and tenure are reviewed by the eligible faculty and by the chair of their tenure initiating unit. Candidates will also be reviewed at the college and university levels. The tenure initiating unit chair is responsible for informing the candidate in writing of the provost's final decision (if negative) or recommendation to the board of trustees (if positive).
- (3) The review for tenure during the final year of a probationary period is mandatory and must take place.

A probationary faculty member may ask to be considered for nonmandatory promotion and tenure review any time. However, the tenure initiating unit promotion and tenure committee may deny a probationary nonmandatory review every year up to the candidate's mandatory year. If a probationary nonmandatory review is allowed and the outcome is negative, the candidate continues at the rank they held at the start of the review. If a probationary mandatory review outcome is negative, the candidate's employment ends. Exclusions of time from a probationary period are allowed under 3335-6-03(D) and the expectations for productivity must be independent of the duration of the probationary period. A tenured faculty member may request a promotion review at any time. However, the tenure initiating unit promotion and tenure committee may deny this request if the tenured faculty member's accomplishments are judged not to warrant such review. The promotion and tenure committee may deny a tenured faculty member's request for promotion review only once. If the review is allowed and the outcome is negative, the tenured faculty member continues at the rank they held at the start of the review. This faculty member may continue at that rank indefinitely or request subsequent reviews that may not be denied.



- (4) Only the candidate may stop any review for promotion and tenure once external letters of evaluation have been sought. The candidate may withdraw from review at any stage of the process by so informing the tenure initiating unit chair in writing. If the review process has moved beyond the tenure initiating unit, the tenure initiating unit chair shall inform the dean or the executive vice president and provost, as relevant, of the candidate's withdrawal. Withdrawal from the mandatory tenure review during the final probationary year means that tenure will not be granted.
- (B) Review procedures at the tenure initiating unit level.
- (1) Each tenure initiating unit shall establish a mechanism such as a promotion and tenure committee, for presenting the case of a candidate for promotion and tenure to the eligible faculty for consideration and for preparing a report for the tenure initiating unit chair providing the eligible faculty's assessment of quality and effectiveness of teaching, quality and significance of scholarship, and quality and effectiveness of service. With the exception noted below, eligible faculty are tenured faculty of higher rank than the candidate excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the executive vice president and provost, and the president. For tenure reviews of probationary professors, eligible faculty are tenured professors excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the executive vice president and provost, and the president.
  - (2) The candidate shall have primary responsibility for preparing, according to office of academic affairs guidelines, a dossier documenting their accomplishments.
  - (3) The tenure initiating unit chair or chair of the promotion and tenure committee shall be responsible for gathering internal evidence of the quality and effectiveness of teaching, quality and significance of scholarship, and quality and effectiveness of service from students and peers, as appropriate, within the tenure initiating unit. The tenure initiating unit chair or chair of the promotion and tenure committee shall also be responsible for obtaining letters from external evaluators and from other units at this university in which the candidate has appointment or substantial professional involvement, whether compensated or not. Some of the external evaluators should be suggested by the candidate and some by the department chair or promotion and tenure committee; no more than one-half of the letters contained in the final dossier should be from persons suggested by the candidate. All solicited letters that are received must be included in the dossier. Unsolicited letters of evaluation or letters of evaluation solicited by anyone other than the above authorized persons may not be included in the dossier.
  - (4) The eligible faculty shall review the candidate's dossier describing accomplishments in teaching, scholarship, and service and shall vote on the candidate. A report of the faculty assessment, including both strengths and weaknesses, and the numerical vote of the faculty shall be forwarded to the tenure initiating unit chair for inclusion in the dossier.
  - (5) The chair shall prepare a separate written assessment of the case and recommendation for the dean for inclusion in the dossier. As soon as the faculty report and chair's letter have been completed, the candidate should be notified in writing of the completion of the tenure initiating unit review and of the availability of these reports. The candidate may request a copy of these reports. The candidate may provide the tenure initiating unit chair with written comments on the tenure initiating unit review for inclusion in the dossier within ten calendar days of notification of the completion of the review. The promotion and tenure committee and/or chair may provide written responses to the candidate's comments for inclusion in the dossier. Only one iteration of comments on the departmental level review is permitted.



- (6) The tenure initiating unit chair shall forward the dossier with all internal and external evaluations, candidate comments on the tenure initiating unit review and promotion and tenure committee and/or chair responses to those comments, if any, to the dean of the college.
- (C) Review procedures at the college and university level.
  - (1) The purposes of promotion and tenure reviews beyond the tenure initiating unit shall be:
    - (a) To determine whether the tenure initiating unit has conducted its review and reached a recommendation consistent with university, college, and tenure initiating unit standards, criteria, policies, and rules. A faculty review body or administrator at the college or university level may make a recommendation that is contrary to that of the tenure initiating unit if, in its judgment, the tenure initiating unit recommendation is not consistent with those standards, criteria, policies, and rules.
    - (b) To determine where the weight of the evidence lies in cases in which there is not a clear or consistent recommendation from lower levels of review.
  - (2) The dean of a college shall have a standing faculty promotion and tenure committee which is advisory to the dean. Members shall not participate in the review of cases from their own departments. The college promotion and tenure committee shall prepare a written report of its assessment and vote for inclusion in the dossier. The dean shall prepare a separate written assessment of the case and recommendation for the provost for inclusion in the dossier. As soon as the college promotion and tenure committee report and dean's letter have been completed, the candidate should be notified in writing of the completion of the college level review and of the availability of these reports. The candidate may request a copy of these reports. The candidate may provide the dean with written comments on the college review for inclusion in the dossier within ten calendar days of notification of the completion of the review. The college promotion and tenure committee and/or dean may provide written responses to the candidate's comments for inclusion in the dossier. Only one iteration of comments on the college level review is permitted. The dean shall forward the dossier, along with all evaluations and reports, to the provost.
  - (3) The executive vice president and provost shall have a standing faculty promotion and tenure committee which is advisory to the provost. Members shall not participate in the review of cases from their own departments. Normally, the provost shall refer cases to this committee for advice only when there is concern regarding the appropriateness of lower level recommendations, when there are unclear or inconsistent recommendations from previous levels of review, or when all previous recommendations are negative. The university promotion and tenure committee shall prepare a written report of its assessment and vote for inclusion in the dossier.
- (D) Modification of review processes for alternative administrative structures.
  - (1) Regional campus faculty shall be reviewed by the faculty and dean and director on the appropriate campus using procedures established on each campus. This review shall focus primarily on the faculty member's contributions in teaching and service. The dean and director shall forward the report of the regional campus faculty and their recommendation to the chair of the faculty member's tenure initiating unit and inform the candidate of their recommendation. The review shall proceed as described in paragraphs (A) through (C) of

this rule with the understanding that the relative weight of teaching and service is ordinarily greater on regional campuses.

- (2) If the college is the unit responsible for initiating tenure and promotion recommendations, it should follow the annual review and promotion and tenure procedures described for tenure initiating units. The dean shall forward the annual review letter or promotion and tenure dossier to the executive vice president and provost.
- (3) Schools follow the procedures established for tenure initiating unit reviews unless they contain departments that are tenure initiating units. In the latter case, the tenure initiating unit chair shall forward dossiers to the school director. The director shall forward the dossier, with their recommendation, to the dean of the college.
- (4) A subdivision within a tenure initiating unit may contribute to the evaluation of faculty members as provided for in the tenure initiating unit's appointments, promotion, and tenure document, but this review may not substitute for a review by the tenure initiating unit eligible faculty and chair.

(Board approval dates: 10/5/1984, 11/2/1990, 5/3/1996, 4/4/1997, 6/5/1998, 12/4/1998, 7/12/2002, 6/4/2004, 6/7/2005, 9/9/2011, 5/20/2021)

**3335-6-05 Criteria and procedures for appeals of negative promotion and tenure decisions and reappointment nonrenewals and for seventh year reviews for tenure-track faculty.**

- (A) Appeals. It is the policy of the Ohio state university to make decisions regarding the renewal of probationary appointments and promotion and tenure in accordance with the standards, criteria, policies, and procedures stated in these rules, supplemented by additional written standards, criteria, policies, and procedures established by tenure initiating units and colleges. If a candidate believes that a nonrenewal decision or negative promotion and tenure decision has been made in violation of this policy and therefore alleges that it was made improperly, the candidate may appeal that decision. Procedures for appealing a decision based on an allegation of improper evaluation are described in rule 3335-5-05 of the Administrative Code.
- (B) Seventh year reviews. Every effort should be made to consider new information about a candidate's performance before a final decision is made if the new information becomes available before a decision is rendered. In rare instances, a tenure initiating unit may petition the dean to conduct a seventh year review for an assistant professor who has been denied promotion and tenure. Both the eligible faculty of the unit and the chair must approve proceeding with a petition for a seventh year review. The petition must provide documentation of substantial new information regarding the candidate's performance that is germane to the reasons for the original negative decision. Petitions for seventh year reviews must be initiated before the beginning of the last year of employment because the seventh year review, if approved, would take place during the regular university review cycle of the assistant professor's seventh and last year of employment.

If the dean concurs with the tenure initiating unit's petition, the dean shall in turn petition the provost for permission to conduct a seventh year review. If the provost approves the request, a new review will be conducted equivalent to the one that resulted in the nonrenewal of the appointment. The conduct of a seventh year review does not presume a positive outcome. In addition, should the new review result in a negative decision, the faculty member's last day of employment is that stated in the letter of nonrenewal issued following the original negative decision.

A tenure-track faculty member may not request a seventh year review, appeal the denial of a seventh year review petition initiated by their tenure initiating unit, or appeal a negative decision following a

seventh year review, since the faculty member has already been notified that tenure has been denied at the conclusion of the sixth year review.

(Board approval dates: 10/5/1984, 11/2/1990, 5/3/1996, 7/12/2002, 6/4/2004, 6/7/2005)

**3335-6-06 Tenure initiating unit.**

- (A) A tenure initiating unit is a division, department, school, or college approved by the council on academic affairs, the university senate, and the board of trustees. A tenure initiating unit has the following responsibilities for all faculty members assigned to it: to assist in professional development; to evaluate; to maintain official personnel records; and to initiate promotion, tenure, reappointment, and nonrenewal recommendations. The office of academic affairs shall be responsible for maintaining the official list of tenure initiating units.
- (B) A single division, department, school, or college must serve as the tenure initiating unit for each tenure-track faculty member, including individuals with multiple appointments. Multiple appointments to the tenure-track faculty totaling fifty per cent or more of service to the university shall be considered to be the same as a single appointment of fifty per cent or more for the purpose of determining eligibility for tenure.
- (C) A tenure-track faculty member may change from one tenure initiating unit to another voluntarily; or as a result of the restructuring of academic units, including consolidation, reorganization, or abolishment; or as a result of the abolishment of a tenure initiating unit during conditions of financial exigency. The following provisions govern such changes:
  - (1) A faculty member may voluntarily move from one tenure initiating unit to another upon approval of a simple majority of all tenured faculty members in the receiving tenure initiating unit and, following consultation with the appropriate dean(s), the executive vice president and provost. Administrative approval will be dependent on whether satisfactory fiscal arrangements for the change have been made.
  - (2) A faculty member's tenure initiating unit may be changed as a result of structural changes in academic units, including consolidation or reorganization of units, or abolishment of units, that are approved by the university senate and board of trustees.
    - (a) When academic units are to be consolidated or reorganized, resulting in the creation of one or more new tenure initiating units, the plan for relocating faculty to the new tenure initiating units shall be part of the approved restructuring proposal. Change in tenure initiating unit resulting from the consolidation or reorganization of academic units shall not require the consent of individual faculty members whose tenure initiating unit is changed. In addition, since a receiving unit does not exist when new units are being created, no vote of such a unit will be required in relocating faculty.
    - (b) When a tenure initiating unit is to be abolished and is not part of a plan to consolidate or reorganize two or more units into new tenure initiating units, every effort shall be made by the executive vice president and provost to transfer each tenure-track faculty member in that tenure initiating unit to another tenure initiating unit, in accordance with the provisions of paragraph (C) of this rule. Should such agreement be impossible, the person's tenure responsibility shall reside with the executive vice president and provost. The executive vice president and provost shall assign the faculty member appropriate duties. If the faculty member's previous assignment has been at a regional campus, the executive vice president and provost shall consult



with the dean and director of the regional campus regarding an appropriate assignment.

- (3) A tenure-track faculty member whose tenure initiating unit is abolished during conditions of financial exigency, as described in rule 3335-5-02.1 of the Administrative Code, may be reassigned to a new tenure initiating unit under the terms of paragraph (C)(1) of rule 3335-5-02.2 of the Administrative Code.
- (D) When tenure-track faculty members change tenure initiating units under paragraphs (C)(2) and (C)(3) of this rule, the new tenure initiating units shall make reasonable efforts to assist faculty members in adjusting to the expectations of the new unit. Faculty members who believe that some other unit may be more appropriate than their new tenure initiating unit may also explore the possibility of further relocation under the terms of paragraph (C)(1) of this rule.

(Board approval dates: 10/5/1984, 11/2/1990, 2/1/1991, 2/4/1994, 5/3/1996, 4/4/1997, 3/6/1998, 12/4/1998, 7/12/2002, 6/4/2004, 6/7/2005, 6/6/2014)

#### **3335-6-07 Campus assignment.**

- (A) Every member of the faculty shall be assigned to serve on one of the university's campuses: the central campus in Columbus, the regional campuses in Lima, Mansfield, Marion, and Newark, or the agricultural technical institute in Wooster.
- (B) Decisions regarding the selection, assignment, responsibilities, salary, assessment, and promotion of a regional campus faculty member should involve full cooperation between the tenure initiating unit and the regional campus administration. All formal personnel recommendations must bear the signatures of the chair of the tenure initiating unit, the dean of the college of the tenure initiating unit, the dean and director of the regional campus, and the executive vice president and provost or designee.
- (C) Campus reassignment may occur only with the voluntary consent of the faculty member, and with the approval of the executive vice president and provost and that of a simple majority of all tenured faculty members in the transferee's tenure initiating unit when the reassignment is from a regional campus to the Columbus campus or all tenured faculty members on the receiving regional campus when the transfer is to a regional campus. Administrative approval will be dependent on whether satisfactory fiscal arrangements for the change have been made.

(Board approval dates: 10/5/1984, 10/4/1985, 2/6/1987, 11/2/1990, 2/1/1991, 5/3/1996, 4/4/1997, 12/4/1998, 7/9/2004)

#### **3335-6-08 Standards of notice.**

- (A) In cases of nonrenewal of an appointment to a tenure-track faculty rank, the university will, insofar as possible, observe the following standards of notice:
  - (1) Not later than March first of the first academic year of probationary service, if the appointment expires at the end of that year; or if a one-year appointment expires during an academic year, at least three months in advance of its expiration;
  - (2) Not later than December fifteenth of the second academic year of probationary service, if the appointment expires at the end of that year; or if an appointment expires during the second academic year, at least six months in advance of its expiration; and



- (3) At least twelve months before the expiration of an appointment after two or more years in the institution.
- (B) These standards of notice need not apply in cases of termination for cause.
- (C) In the event of a decision resulting in nonrenewal, the chair shall notify the faculty member in writing of that decision and the reasons for it.
- (D) Decisions regarding renewal of members of the associated faculty (adjunct, clinical practice, visiting titles, or lecturers) are made annually in accordance with criteria and procedures of the appointing instructional unit and in accordance with university policies relative to associated faculty positions.

(Board approval dates: 10/5/1984, 7/10/1987, 5/3/1996, 6/4/2004, 6/7/2005, 6/6/2014)

### **3335-6-09 Exceptions.**

Any unit which believes that there is a reason for it to have policies and procedures differing from those set out in this chapter may request an exception. The request must be approved by the procedures established in the unit's pattern of administration and by the dean of the college, after broad and meaningful consultation with the unit's tenure-track faculty. The request will then be submitted to the executive vice president and provost and, if approved, to the university senate for approval.

(Board approval dates: 10/5/1984, 5/4/1989, 7/6/1990, 11/2/1990, 3/6/1992, 4/8/1994, 5/3/1996, 4/4/1997, 12/4/1998, 7/12/2002, 7/9/2004)

## **Chapter 3335-7 Clinical, teaching, practice and research faculty appointment, reappointment and nonreappointment, and promotion**

### **3335-7-01 Definition.**

Clinical/teaching/practice are faculty appointments of the same type that are fixed term contract appointments that do not entail tenure. These faculty are teacher/practitioners and shall be engaged primarily in teaching activities related to: a) courses or instructional situations involving live patients or live clients, b) courses or instructional situations involving the simulation of live patients or live clients, c) courses or instructional situations involving professional skills, or d) teaching as defined in chapter 3335-6-02(A)(2) of the Administrative Code.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013, 5/31/2019)

### **3335-7-02 Titles.**

Titles will be:

- a. Clinical instructor, assistant clinical professor, associate clinical professor, or clinical professor.
- b. Teaching instructor, assistant teaching professor, associate teaching professor or teaching professor.
- c. Professional practice instructor, professional practice assistant professor, professional practice associate professor, or professional practice professor.

(Board approval dates: 7/12/2002, 6/4/2004, 6/1/2007, 6/7/2013, 11/3/2017, 11/16/2018, 5/31/2019, 2/10/2022)



**3335-7-03 Appointment cap.**

Unless an exception is approved by the university senate and the board of trustees, clinical/teaching/practice faculty may comprise no more than forty percent of the total tenure-track, clinical/teaching/practice and research faculty (as defined in rule 3335-5-19 of the Administrative Code) in each of the colleges of the health sciences and no more than twenty percent of the tenure-track, clinical/teaching/practice, and research faculty in all other colleges. In all tenure-initiating units not in health sciences, the number of clinical/teaching/practice track faculty members must be fewer than the number of tenure-track faculty members in each unit.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/22/2012, 6/7/2013, 6/6/2014, 5/31/2019)

**3335-7-04 Proposals and approval process.**

- (A) Proposals to establish or amend a clinical/teaching/practice faculty in a college or school reporting directly to Office of Academic Affairs (OAA) must be submitted to the provost by the dean of the college or director of the school reporting directly to OAA. Proposals must include a clear rationale for establishing a clinical/teaching/practice faculty and address how the terms and conditions of the appointments will be consistent with the rules set forth in Chapter 3335-7 of the Administrative Code, what titles will be given to clinical/teaching/practice faculty, and what department and college governance rights will be extended to clinical/teaching/practice faculty. Clinical/teaching/practice faculty may not participate in the promotion and tenure reviews of tenure faculty. In addition, proposals must include the following components:
- (1) A definition of the role in teaching and scope of professional practice duties of clinical/teaching/practice faculty, identifying specifically how those differ from duties of tenure-track faculty;
  - (2) Identification of the requirements for a clinical/teaching/practice faculty appointment, including appropriate terminal degrees and any credential or licensure requirements; and
  - (3) Proposals must comply with any additional guidelines promulgated by the council on academic affairs and will be reviewed according to criteria specified by the council on academic affairs.
- (B) With the exception of changes to existing titles, proposals from a college or school reporting directly to OAA to establish or amend a clinical/teaching/practice faculty must be approved by a majority of the tenure-track faculty of the college or school reporting directly to OAA proposing to have a clinical/teaching/practice faculty, by the dean of the college or school reporting directly to OAA, by the executive vice president and provost, by the university senate, and by the board of trustees. The executive vice president and provost will transmit all proposals to the council on academic affairs, which will review proposals and make a recommendation to the university senate. Title changes must be consistent with rule 3335-7-02 of the Administrative Code, but need only be approved by a majority of the tenure track faculty and dean of the college or director of the school reporting directly to OAA proposing the amendment.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/1/2007, 6/7/2007, 6/7/2013, 5/31/2019)

**3335-7-05 Criteria for appointment, for reappointment and non-reappointment, and for promotion.**

Clinical/teaching/practice faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. The criteria for appointment, for reappointment and non-reappointment, and for promotion for clinical/teaching/practice faculty shall be

established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. The criteria must be consistent with the rationale for having clinical/teaching/practice faculty in the unit in question and must be distinct from the criteria for tenure-track faculty appointments. However, normally clinical/teaching/practice faculty will have an earned doctorate or other terminal degree in the relevant field or equivalent experience. The criteria for appointment, for reappointment and non-reappointment, and for promotion should reflect the importance of the responsibilities of clinical/teaching/practice faculty.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013, 5/31/2019)

### **3335-7-06 Procedures for appointment.**

Procedures for appointment of clinical/teaching/practice faculty shall be established by the college, school, or department making such appointments and shall be set forth in that unit's appointments, promotion, and tenure document. Appointments at the rank of associate professor or professor require prior approval of the office of academic affairs.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013, 5/31/2019)

### **3335-7-07 Term of appointment.**

- (A) The initial probationary contract for all clinical/teaching/practice faculty members must be for a period of five years. Second and subsequent contracts for clinical/teaching/practice assistant and associate professors must be for a period of at least three years and for no more than five years. Second and subsequent contracts for clinical/teaching/practice professors must be for a period of at least three years and no more than eight years.
- (B) The initial contract is probationary, and a clinical/teaching/practice faculty member will be informed by the end of each probationary year as to whether they will be reappointed for the following year. By the end of the penultimate year of the probationary contract, the faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.
- (C) During and until the end of the second and subsequent contract periods, clinical/teaching/practice faculty appointments may only be terminated for cause (see rule 3335-5-04 of the Administrative Code) or financial exigency (see rule 3335-5-02.1 of the Administrative Code) and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the clinical/teaching/practice faculty member. By the end of the penultimate year of each contract period, the clinical/teaching/practice faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.
- (D) The standards of notice set forth in rule 3335-6-08 of the Administrative Code apply to clinical/teaching/practice faculty appointments.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013, 5/31/2019, 5/20/2021)

### **3335-7-08 Annual review, reappointment/nonreappointment, and promotion review procedures.**

The procedures for reviewing clinical/teaching/practice faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant college, school or department appointments, promotion, and tenure. Procedures for promotion shall be consistent with review procedures established for tenure-track faculty, including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code with the following exceptions:

- (A) The college dean's decision shall be final with respect to reappointment and nonreappointment. Decisions with respect to promotion shall be forwarded to the executive vice president and provost, who shall review the decision consistent with the review procedures established for tenure-track faculty including those set forth in rule 3335-6-04. Any decision of the executive vice president and provost shall be final; and
- (B) External evaluations are optional.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013, 11/3/2017, 5/31/2019)

**3335-7-09 Transfers from the tenure track faculty to the clinical/teaching/practice faculty.**

A college, school, or department may provide for the possibility of transfers from the tenure faculty track to the clinical/teaching/practice faculty if appropriate to its circumstances. A unit that permits transfers must abide by the following:

- (A) The request for transfer must be initiated by the faculty member in writing and must state clearly how the individual's career goals and activities have changed;
- (B) When a tenured faculty member transfers to the clinical/teaching/practice faculty, tenure is lost; and
- (C) All transfers must be approved by the school director or department chair, the college dean, and the executive vice president and provost.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2013, 5/31/2019)

**3335-7-10 Transfers from the clinical/teaching/practice faculty to the faculty-track.**

Transfers from the clinical/teaching/practice faculty to the tenure-track faculty are not permitted. Clinical/teaching/practice faculty may apply for tenure-track positions and compete in regular national searches for such positions.

(Board approval dates: 7/12/2002, 6/4/2004, 6/7/2005, 6/7/2013, 5/31/2019)

**3335-7-11 Participation in governance by clinical/teaching/practice faculty.**

- (A) A college or academic unit determines the level of participation in college and departmental structures.
- (B) A college or academic unit may, by vote of at least a majority of all of its tenure-track faculty, determine that the clinical/teaching/practice members of its faculty are eligible for election to the university senate.
- (C) Following approval by a college or academic unit of eligibility of its clinical/teaching/practice faculty for election to the senate under the foregoing paragraph:

- (1) For purposes of selection of university senators, the electorate for the college or academic unit shall be composed of all tenure-track and clinical/teaching/practice faculty.
- (2) Any clinical/teaching/practice faculty member appointed by the college or academic unit may stand for election to serve as a representative in the senate.
- (3) The minimum and maximum numbers of clinical/teaching/practice faculty from each college or academic unit that may serve as representatives in the senate shall be determined by majority vote of tenure-track and clinical/teaching/practice faculty appointed by that college or academic unit within the limits provided for in paragraph 4 of this section.
- (4) One senator or not more than forty-five percent of the senators representing that college or academic unit, whichever is greater, may be clinical/teaching/practice faculty of the college or academic unit.

(D) Clinical/teaching/practice faculty will not be eligible to vote on the promotion or tenure of tenure-track faculty or the promotion of research faculty.

(Board approval dates: 4/4/2008, 6/7/2013, 5/31/2019)

#### **3335-7-30 Definition of research faculty.**

Research faculty appointments are fixed term contract appointments that do not entail tenure. Research faculty are researchers and shall be engaged in research related to the mission and goals of the academic unit.

(Board approval dates: 6/4/2004, 6/7/2013)

#### **3335-7-31 Titles.**

Titles will be research assistant professor, research associate professor, or research professor.

(Board approval dates: 6/4/2004, 6/7/2013, 2/10/2022)

#### **3335-7-32 Criteria for appointment, for reappointment and non-reappointment, and for promotion.**

With tenure-track faculty majority approval, research faculty may be appointed by colleges that do not have schools or departments and by schools and departments in colleges that have such subunits. Unless otherwise authorized by a majority vote of the tenure-track faculty in a unit, research faculty must comprise no more than twenty per cent of the number of tenure-track faculty in the unit. In all cases, however, the number of research faculty positions in a unit must constitute a minority with respect to the number of tenure-track faculty in the unit.

The criteria for appointment, reappointment and nonreappointment, and for promotion for research faculty shall be established by the college, school or department making such appointments and shall be set forth in that unit's appointments, promotion and tenure document and approved by a majority vote of the tenure-track faculty of the unit and approved by the office of academic affairs. The criteria must be distinct from the criteria for tenure-track faculty appointments and cannot require classroom teaching. Research faculty will have an earned doctorate or other terminal degree in the relevant field. The criteria for appointment, for reappointment and nonreappointment, and for promotion should reflect the preponderance of responsibilities being in research activities.

(Board approval dates: 6/4/2004, 6/7/2013)

**3335-7-33 Procedures for appointment.**

Procedures for appointment of research faculty shall be established by the college, school or department making such appointments and set forth in that unit's appointments, promotion, and tenure document and approved by a vote of tenure-track faculty of the unit and the office of academic affairs. Appointments at the rank of research associate professor or research professor require prior approval of the relevant college and the office of academic affairs.

(Board approval dates: 6/4/2004, 6/7/2013)

**3335-7-34 Duties and responsibilities.**

The primary duty of research faculty is to conduct research. A research faculty member may, but is not required to, participate in limited educational activities in the area of their expertise. However, teaching opportunities for each research faculty member must be approved by a majority vote of the TIU's tenure-track faculty. Under no circumstances may a member of the research faculty be continuously engaged over an extended period in the same instructional activities as tenure-track faculty. An appointment to a research faculty position should not be made to displace or make unnecessary an appointment to a tenure-track faculty position.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013)

**3335-7-35 Term of appointment.**

- (A) Contracts will be for a period of at least one year and for no more than five years.
- (B) Contracts must explicitly state the expectations for salary support. The faculty member will be expected to cover no more than ninety-five per cent of their salary. It is expected that salary recovery/support will be derived from extramural funds.
- (C) The initial contract is probationary, and a research faculty member will be informed by the end of each probationary year as to whether they will be reappointed for the following year. By the end of the penultimate year of the probationary contract, the research faculty member will be informed as to whether a new contract will be extended at the conclusion of the probationary contract period. In the event that a new contract is not extended, the final year of the probationary contract is the terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.
- (D) During and until the end of the second and subsequent contract periods, research faculty appointments may be terminated for not meeting the terms of the contract (e.g. failure to obtain extramural support for the research). Appointments may also be terminated during a contract period for cause (see rule 3335-5-04 of the Administrative Code), or financial exigency (see rule 3335-5-02.1 of the Administrative Code), and the termination decision for either of these reasons shall result from procedures established by faculty rules. In addition, a contract may be renegotiated during a contract period only with the voluntary consent of the research faculty member. By the end of the penultimate year of each contract period, the research faculty member will be informed as to whether a new contract will be extended at the conclusion of the current contract period. If a new contract is not extended, the final year of the current contract is a terminal year of employment. There is no presumption that a new contract will be extended. In addition, the terms of a contract may be renegotiated at the time of reappointment.

- (E) The standards of notice set forth in rule 3335-6-08 of the Administrative Code apply to research faculty appointments.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013, 6/6/2014, 5/21/2025)

**3335-7-36 Annual review, reappointment/nonreappointment, and promotion review procedures.**

The procedures for reviewing research faculty annually and for reappointment/nonreappointment and promotion shall be set forth in the relevant, tenure-track faculty approved, college, school or department appointments, promotion and tenure document and shall be consistent with review procedures established for tenure-track faculty including those set forth in rules 3335-6-03 and 3335-6-04 of the Administrative Code except that the college dean's decision shall be final with respect to reappointment and non-reappointment. Decisions with respect to promotion shall be forwarded to the executive vice president and provost, who shall review the decision consistent with the review procedures established for tenure-track faculty including those set forth in rule 3335-6-04. Any decision of the executive vice president and provost shall be final.

(Board approval dates: 6/4/2004, 6/7/2013, 11/3/2017)

**3335-7-37 Governance rights.**

Governance rights within a tenure-initiating unit (TIU) at the local level will be determined by the TIU and will require a vote of its voting faculty.

Research faculty will also be eligible to advise and supervise graduate and postdoctoral students and to be a principal investigator on extramural research grant applications. Approval to advise and supervise graduate students must be obtained from the graduate school as set forth in rule 3335-5-29 and detailed in the graduate school handbook.

Research faculty will not be eligible to vote on the promotion or tenure of tenure-track faculty or the promotion of clinical/teaching/practice faculty.

(Board approval dates: 6/4/2004, 6/7/2013, 6/6/2014, 5/31/2019)

**3335-7-38 Transfers from the tenure-track faculty to research faculty.**

A college, school or department may provide for the possibility of transfer from the tenure-track faculty to the research faculty if appropriate to its circumstances and if provided for in the unit's appointments, promotion and tenure document. A unit that permits transfers must abide by the following:

- (A) The request for transfer must be initiated by the tenure-track faculty member in writing and must state clearly how the individual's career goals and activities have changed.
- (B) When a tenured faculty member transfers to the research faculty, tenure is relinquished.
- (C) The school director or department chairperson, the college dean, and the executive vice president and provost must approve all transfers.

(Board approval dates: 6/4/2004, 6/7/2013)

**3335-7-39 Transfers from the research faculty to the tenure-track.**

Transfers from the research faculty to the tenure-track faculty are not permitted. However, research faculty may apply for tenure-track positions and compete in regular national searches for such positions.

(Board approval dates: 6/4/2004, 6/7/2013)

### **3335-7-40 Oversight.**

The office of academic affairs will submit an annual report to the university senate detailing the number, funding source, and TIU of research faculty appointments that have been made the previous year. Also included in the report will be the conditions of the appointments including fiscal arrangements. In unusual circumstances, salaries of research faculty may be paid on a temporary basis from funds other than those generated from tuition and subsidy.

(Board approval dates: 6/4/2004, 6/7/2005, 6/7/2013)

## **Chapter 3335-8 Instruction**

### **3335-8-01 Courses and curricula; definition.**

- (A) A course is the unit of instruction or research through which the educational program of the university is offered to its students.
- (B) A curriculum is a program of courses leading to a certificate, a degree, or to entry into a professional college, school or a professional division of a college or a school.

(Board approval date: 7/9/2004)

### **3335-8-02 Courses and curricula; establishment, alteration or abolition.**

- (A) All proposals for the establishment, alteration and abolition of courses and curricula must be submitted to the council on academic affairs. Such proposals shall follow the procedure outlined in rule 3335-5-48.1 of the Administrative Code and shall be subject to review by the president and the board of trustees.
- (B) If any change in courses or curricula requires an addition to the teaching staff, it shall not be authorized until approved in writing by the executive vice president and provost.

(Board approval dates: 4/4/1997, 12/4/1998, 7/9/2004)

### **3335-8-03 Procedure.**

Proposals for establishing new courses or curricula for alterations in existing courses or curricula shall originate in the departments or schools and, in the case of departments, shall be subject to acceptance, revision, or rejection by the college or school of which those departments are a part. Proposals of departments, if approved by the college, and those of schools shall be submitted to the council on academic affairs. The council on academic affairs shall refer all courses involving graduate credit to the curriculum committee of the graduate school, which shall subsequently notify the council on academic affairs of the action taken in respect to acceptance of such proposed courses for credit toward graduate degrees. The council on academic affairs shall then take final action on the proposals in accordance with rule 3335-8-02 of the Administrative Code, keeping in mind the entire program of the department, the school, the college, and the university.

(Board approval date: 7/9/2004)



**3335-8-04 Adoption of approved courses.**

In determining credit for the degrees for which they are individually responsible, the several colleges, schools, and the graduate school shall have full authority to accept or to reject courses approved pursuant to rule 3335-8-03 of the Administrative Code. In the event that a college, school, or the graduate school determines to accept a course so approved, that course shall carry those conditions and credits which have been prescribed by the council on academic affairs.

(Board approval date: 7/9/2004)

**3335-8-05 University classification and course numbering system.**

- (A) Courses numbered 1000-1099 are undergraduate non-credit courses for orientation, remedial, or other non-college-level experiences. These courses are in addition to a program's graduation requirements.
- (B) Courses numbered 1100-1999 are introductory level courses providing undergraduate credit, but shall not be counted on a major or field of specialization in any department. Courses at this level are beginning courses, required or elective courses that may be prerequisite to other courses.
- (C) Courses numbered 2000-2999 are intermediate level courses providing undergraduate credit and may be counted for a major or field of specialization.
- (D) Courses numbered 3000-3999 are upper-level courses providing undergraduate credit that may be counted toward a major or field of specialization.
- (E) Courses numbered 4000-4999 are advanced level undergraduate courses providing undergraduate credit that may be counted on a major or field of specialization. Graduate students may enroll in and receive graduate credit for 4000-level courses outside their own graduate program.
- (F) Courses numbered 5000-5999 are dual-level courses regularly offered for both graduate credit and undergraduate credit providing advanced level courses for undergraduate credit that may be counted toward a major or field of specialization or are foundational coursework and research for graduate and professional credit.
- (G) Courses numbered 6000-6999 are foundational level graduate and professional courses and research providing graduate or professional credit
- (H) Courses numbered 7000-7999 are intermediate level graduate and professional degree courses and research providing graduate or professional credit.
- (I) Courses numbered 8000-8999 are advanced level graduate and professional degree courses and research providing graduate or professional credit.
- (J) Courses for which graduate credit is anticipated must be taught by a member of the faculty approved by the graduate committee of the unit offering the course. Seven thousand and above level courses must be taught by members of the graduate faculty.

(Board approval dates: 7/9/2004, 6/18/2010)

**3335-8-07 General education.**



All undergraduate students must complete a program of general education coursework enabling them to acquire and develop a breadth of knowledge, skills, and perspectives that cross disciplinary boundaries and extend to areas outside of majors, minors and other specialized study programs. The specific structure and requirements for general education shall be defined by the faculty in accordance with faculty rule 3335-5-27 of the Administrative Code.

(Board approval dates: 1/10/1975, 7/9/2004, 6/18/2010)

#### **3335-8-10 Academic publications.**

All official bulletins of the university shall be published from the copy furnished by the council on academic affairs; but mere editorial changes, as defined by the council on academic affairs, may be made in such copy by the appropriate designated individual in the office of academic affairs after receiving the approval of the department or school concerned.

(Board approval date: 7/9/2004)

### **Class Scheduling**

#### **3335-8-11 Precedence of scheduled hours.**

Regularly scheduled class appointments shall have precedence over any special examinations or exercises not provided for on the calendar or by faculty action.

(Board approval date: 7/9/2004)

#### **3335-8-12 Interval between classes.**

The interval between the close of one class period and the beginning of the next shall be fifteen minutes.

(Board approval dates: 7/9/2004, 5/14/2010)

#### **3335-8-13 Class rosters.**

Instructors shall make their class rosters solely from the rosters issued by the office of the university registrar, except that each department or school is authorized to change the hour assignment of a student for courses offered in more than one section. The department or school shall notify the office of the university registrar of all such changes.

(Board approval date: 7/9/2004)

#### **3335-8-14 Approval of student schedules.**

The deans or secretaries of the several colleges and schools, or designees, shall approve the schedules of classes of students in their colleges and schools but the assignment to hours and all changes in such assignment shall be made by the office of the university registrar.

(Board approval date: 7/9/2004)

#### **3335-8-15 Changes of schedules.**



- (A) No instructor shall change the hour or place of meeting of any class to which a student has been assigned except with the approval of the office of the university registrar.
- (B) Instructors who deviate from regular university schedules by holding special sessions or examinations must have received approval from their department chair, regional campus dean and director or college dean to hold such special sessions or examinations. Such instructors shall accommodate students who may have conflicts because of required attendance in regularly scheduled classes. This rule does not apply to policies for the scheduling of final examinations which are provided in rule 3335-8-20 of the Administrative Code.

(Board approval dates: 6/3/1988, 5/3/1996, 7/9/2004)

**3335-8-16 Cancellation of courses.**

- (A) The chair of a department or director of an instructional unit, in consultation with the dean of the college and with timely notification, may cancel any course that has not enrolled sufficient numbers of students to warrant its offering. That number of students should usually be less than fifteen, but courses enrolling fewer than fifteen may be offered if sufficient resources and programmatic justifications exist. When such a course is cancelled, the dean or director shall notify the office of the university registrar who shall promptly inform all enrolled students and insert notice of its cancellation in the master schedule.
- (B) The university registrar will monitor the frequency of course offerings, identify those that have not been offered for three consecutive years, and inform the dean of the appropriate college. The dean and the chair or director of the relevant instructional unit will decide whether to remove that course from the course bulletin prior to the next academic year.

(Board approval dates: 7/9/2004, 6/7/2005, 11/8/2013)

**3335-8-19 Student assessment.**

- (A) Each course as defined in rule 3335-8-01 of the Administrative Code will have a syllabus to be provided to each student at the start of the term explaining how the student's performance will be assessed.
- (B) By the close of each course as defined in rule 3335-8-01 of the Administrative Code, the student's performance relative to the stated course objectives will be assessed, the method of assessment to be determined by the instructor or supervisor of the course.
- (C) Written in-class examinations given at the end of the term that are comprehensive in nature should be given only during the final exam period and administered pursuant to rule 3335-8-20 of the Administrative Code. Written in-class examinations allowed during the last week of classes shall not exceed the scale, scope, duration and percent of grade of other examinations given in that class during the term, nor exceed thirty percent of the final course grade unless approved by the unit head. All examinations, papers and projects set for the last week of classes in a semester must be clearly assigned and scheduled in the instructor's syllabus. In a course where a final examination is the only written examination given during the term, that examination may not be given during the last week of classes, and must be scheduled during the final examination period and administered pursuant to rule 3335-8-20 of the Administrative Code.

(Board approval date: 7/9/2004, 6/3/2016)

**3335-8-20 Schedules for final examinations.**

- (A) Examinations administered during the final exam period for classes taught on the regional campuses and for classes whose enrollment is exclusively of students registered in the colleges of dentistry, law, medicine, optometry, pharmacy, and veterinary medicine will be scheduled by the offices of the regional campuses and of the colleges respectively. All examination schedules prepared outside the office of the university registrar shall, before publication, be cleared with the office of the university registrar which shall have the power to resolve all conflicts.
- (B) All other examinations administered during the final exam period shall be centrally scheduled by the office of the university registrar. The official examination schedules shall be strictly adhered to by all instructors. Any deviation must first be approved by the appropriate university official (department chair, regional campus dean and director, or college dean) in consultation with the office of the university registrar, which shall have the power to resolve all conflicts. Final grades for graduating students must be submitted electronically to the office of the university registrar by the deadlines established by that office.
- (C) In performing its scheduling function the office of the university registrar shall limit individual examinations to two-hour duration and the total examination period to no more than five days.

(Board approval dates: 8/1/1997, 12/5/2003, 12/2/2005)

### **3335-8-21 Marks.**

The official marks of the university are as follows: "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," "EM," "EN," "NEN," "I," "K," "P," "PA," "PE," "NP," "R," "S," "U," "W." These marks shall have the following meaning:

- (A) "A," "A-"

The instructor judged the student to have satisfied the stated objectives of the course in an excellent manner. The student's performance was judged to be in this range of high quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

- (B) "B+," "B," "B-"

The instructor judged the student to have satisfied the stated objectives of the course in an above-average manner. The student's performance was judged to be in this range of above-average quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

- (C) "C+," "C," "C-"

The instructor judged the student to have satisfied the stated objectives of the course in an average manner. The student's performance was judged to be in this range of average quality based upon a comparison with other students in the course, and/or students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

- (D) "D+," "D"

The instructor judged the student to have satisfied the stated objectives of the course in a low but acceptable manner. The student's performance was judged to be in this range of below average but acceptable quality based upon a comparison with other students in the course, and/or with students who have taken the course previously, and/or the instructor's personal expectations relative to the stated objectives of the course, based on the instructor's experience and expertise.

(E) "E"

The instructor judged the student not to have satisfied the stated objectives of the course. Credit for a course in which the mark "E" has been received can be obtained only by repeating and passing the course in class (see rules 3335-8-23 to 3335-8-28 of the Administrative Code).

(F) "EM" - examination

- (1) This mark indicates credit given to students registered in the university on the basis of examinations taken prior to or after admission to the university. The level of achievement which must be demonstrated by the student on these examinations in order to receive "EM" credit (except advanced placement credits) shall be determined by the department or school in which the course is offered for credit, in accord with the criteria for the award of letter grades. This credit shall be assigned only upon the authorization of the chair of the department or the director of the school and with the approval of the authorized representative of the dean or director of the student's enrollment unit.
- (2) Examination credit shall not be given to a student for a course in which the student has received a mark at this university or for which the student has transfer credit from some other college or university. No credit points are allowed for courses in which a mark of "EM" is given.

(G) "I" – incomplete, "IX" - extension of incomplete

- (1) An "I" indicates that the student has completed a major portion of the work in the course in a satisfactory manner, but for reasons judged by the instructor to be legitimate, a portion of the course requirements remains to be completed.
- (2) The mark "I" shall be reported to the office of the university registrar together with the mark which the university registrar is authorized to enter on the student's official record unless a different mark is reported to the office of the university registrar in the manner and within the time described in this rule.
- (3) The student must complete the work so that the instructor of the course may report the final mark at the earliest possible time, but not later than noon of the sixth Saturday of the semester, or session, following that in which the "I" was received. For legitimate reason the instructor may establish a deadline for the completion of the work which is within the maximum time permitted. Upon petition of the student within this period, the instructor or, if the instructor is unavailable, the chair of the department involved, may for good reason allow a student additional time in which to complete the work. An extension beyond the date grades are due for the semester, or session following that in which the "I" was received requires concurrence of the instructional unit's dean, director, or college secretary. Any decision extending the period shall set forth the time in which the student shall complete the work and a copy of the decision shall be forwarded to the office of the university registrar. This approved extension will appear on the record as an "IX" mark.

- (4) As soon as the incomplete work has been made up, the instructor, or in the case of the instructor's absence from the university, the department chair or the director of the school, shall file the proper mark in the office of the university registrar. Until such time as a final mark is recorded the credit for the mark "I" or "IX" shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.
- (5) In no case shall a student who has received the mark "I" or "IX" be permitted to repeat the course in which such mark was received until such time as the "I" or "IX" has been removed and then only in such cases as fall within rule 3335-8-28 of the Administrative Code.

(H) "K" - credit

This mark shall be used for work credited from other institutions by the director of undergraduate admissions only. "K" credit shall be counted as hours only and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.

(I) "EN" - E, non-attendance

This mark shall be used to indicate that the student was properly registered for the course, but failed to complete the course because of non-attendance. It does not differentiate between the student who never attended or stopped attending at some point during the academic term.

When assigning this mark, an instructor must also provide some indication (e.g. day or week of the academic term) of when the student stopped attending the course.

This mark shall be treated as an "E" for the purpose of calculating a student's point-hour ratio.

(J) "P" - progress

This mark is used to indicate that the student has shown satisfactory progress in a series or sequence of courses where the mark is not recorded until the final semester, or session of the series or sequence is completed. Until such time as a final mark is recorded, the mark of "P" shall be given and the credit shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code. When a final mark is submitted by the instructor, all previous "P" marks shall assume and be recorded with the value of this final mark.

(K) "PA" - pass, "NP" - non-pass

- (1) The grade pass "PA" means the student has satisfied the stated objectives of the course, and the grade non-pass "NP" is the equivalent of the grade "E."
- (2) These marks may be used at the option of undergraduate or continuing education students only, subject to the following conditions:
  - (a) This grading pattern may be chosen for a maximum of twenty credit hours, provided the student has an accumulated point-hour ratio of 2.0 or higher.
  - (b) An undergraduate student may elect this option for courses that are not required or designated as required electives in the curriculum leading to the degree for which the student is a candidate.

- (c) Hours graded pass "PA" count toward the minimal number of hours required for a degree. Pass or non-pass marks ("PA," "NP") are not computed in the point-hour average of the student.
  - (d) Before close of business of the fourth Friday of a semester or summer term; the second Friday of a seven-week session during a semester or a six- or eight-week session during summer term; or the first Friday of a four-week summer session, a student must have declared intention to take a course on this basis by filing the appropriate form with the dean or director of the student's enrollment unit. A student may not change to or from this option after this same deadline.
- (L) "PE" — Emergency Pass
  - (1) In the event that Exceptional Circumstances is declared all courses for that semester normally graded A-E shall be recorded as follows:
    - a. undergraduates graded D+ or D shall be recorded by the registrar as PE.
    - b. graduate students graded C+, C, C-, D+, or D shall be recorded as PE.
    - c. a grade of E shall be recorded as NP, and the EN mark shall be recorded as "NEN."
  - (2) "Exceptional Circumstances" is defined as widespread circumstances outside the control of students and instructors that may adversely affect academic performance.
  - (3) Exceptional Circumstances are declared by the senate, or by the provost following a recommendation from the council on enrollment and student progress, and confirmation by the senate steering committee.
  - (4) Hours graded "PE" count toward the minimal number of hours required for a degree but are not computed in the point-hour average of the student.
  - (5) The PE grade shall revert to the letter grade reported by the instructor upon student petition to the registrar. Petitions shall be made before the end of the second succeeding semester or summer term, but prior to graduation. Such a reversion is irrevocable.
  - (6) Policies requiring certain grades for progression in a sequence, admission to a program, or academic standing would be unaffected by this system. Accommodations to allow use of PE grades these cases remain at the discretion of the individual program or college.
  - (7) In any semester in which Exceptional Circumstances have been declared by senate or provost, the deadline for a student to withdraw from a course without petition as defined in 3335-8-32 (E) shall be extended by three weeks in fifteen-week semesters and a proportional amount in shorter sessions.
  - (8) Grade forgiveness used for a course taken during a semester in which Exceptional Circumstances have been declared by senate or provost will not count toward the three-course limit defined in 3335-8-27.1 (C).
- (M) "R" - registered to audit

- (1) This mark indicates that the student has registered to audit the course and has met the conditions established for audit enrollment in the course. No credit hours shall be awarded for this mark (see rules 3335-8-29 and 3335-8-33 of the Administrative Code).
  - (2) Before close of business of the fourth Friday of a semester or summer term; the second Friday of a seven-week session during a semester or a six- or eight-week session during summer term; or the first Friday of a four-week summer session, a student must have declared intention to take a course for audit or to change from a credit to an audit basis by filing the appropriate form with the dean or director of the student's enrollment unit. A student may not change to or from the audit option this same deadline.
- (N) "S" - satisfactory, "U" - unsatisfactory
- (1) The mark "S" may be used to record either satisfactory progress in or completion of work, provided that the course has been approved for this mark by the dean of the college offering the course, and in the case of courses carrying graduate credit, by the dean of the graduate school. It shall be used as an alternative to "U" or "I" in all individual studies courses whatever their number. "S" credit shall be counted as hours only, and shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.
  - (2) The mark "U" shall be used for unsatisfactory work in courses in which a student would be entitled to the mark of "S" if the student's work had been satisfactory. No credit shall be given for work marked "U." This mark shall not be considered in determining a student's point-hour ratio under rule 3335-8-26 of the Administrative Code.
- (O) "W" - withdrew
- (1) This mark is used for students withdrawing from one or more courses or from the university.
  - (2) See rule 3335-8-32 of the Administrative Code for procedures and provisions governing withdrawals.

(Board approval dates: 5/4/2001, 6/7/2002, 7/9/2004, 6/6/2014, 4/8/2016, 11/21/2019, 2/25/2021)

### **3335-8-22 Report of marks.**

Upon completion of the course requirements, marks for every student shall be reported to the office of the university registrar in accord with published deadlines.

(Board approval dates: 7/9/2004, 6/22/2012)

### **3335-8-23 Alteration of marks.**

- (A) A mark filed in the office of the university registrar is a part of the official records of the university. It is subject to change only when a procedural error has been discovered in evaluation or recording of a grade. Action to change a grade must be initiated before the end of the second succeeding semester or summer term. In no case will a grade be revised in accordance with criteria other than those applied to all students in the class. If the instructor agrees that an error in the mark was made, the mark will be changed upon written authorization of:
- (1) The instructor of the course, and
  - (2) The instructional unit's dean, director, or college secretary.





If a student believes that a procedural error in grading was made, the student should meet with the instructor. If the instructor does not agree that a procedural error was made, the student may meet with the department chair to discuss the grade grievance. The chair shall respond to the student no later than thirty days after the student has requested a review by the chair. Upon receipt of the chair's response, if the issue is not resolved to the satisfaction of the student, the student may within two weeks request in writing by duplicate submission to the dean or director of the instruction unit and the department chair the procedures in paragraph (B) of this rule. Unresolved cases of grade grievance due to grading procedures are subject to paragraph (B) of this rule; unresolved cases of grade grievance due to other causes are not subject to paragraph (B) of this rule.

- (B) Unresolved cases of grade grievance due to grading procedures shall be reviewed by a faculty departmental committee appointed by the department chair.

- (1) In cases of instructors still affiliated with the university, the review committee shall consult both the student and the instructor and shall determine the validity of the grade grievance due to grading procedures. The review committee shall make its findings known in writing to both the student and the instructor within thirty days of the student's request to the chair.

If the committee finds that a procedural error has occurred and if the instructor declines to accept the findings of the review committee, the committee shall consider the reasons for not authorizing a grade change given by the instructor and may, upon consideration of these reasons, authorize in writing a grade change to be instituted by the department chair.

- (2) In cases of instructors no longer affiliated with the university, the findings of the committee shall be reported to both the student and the instructor. If the instructor chooses not to respond, the judgment of the committee shall prevail. If the instructor responds and declines to accept the findings of the committee that a procedural error has occurred, the committee shall consider the reasons for not authorizing a change given by the instructor. In either case, the committee may, upon due consideration, authorize in writing a grade change (if such can be determined) to be instituted by the department chair.

If a department committee can find no academic basis upon which to recommend an appropriate grade for the course, the student shall be given the option of having the course stricken from the student's record and, if so desired, to retake that course without prejudice or penalty.

- (C) If charges of grave academic misconduct against an instructor are made and substantiated under rule 3335-5-04 of the Administrative Code, the department chair shall be authorized to appoint a department grade grievance committee to consider grading errors that are alleged to be related to the misconduct. The committee shall consider all evidence and present, in writing, a report to the chair indicating any recommended grade changes. The department chair shall be authorized to institute grade changes in accordance with the recommendations of the committee.

If a department committee can find no academic basis upon which to recommend an appropriate grade for the course, the student shall be given the option of having the course stricken from the student's record and, if so desired, to retake that course without prejudice or penalty.

- (D) The graduate school and graduate professional colleges may formulate appropriate modifications of this rule, subject to the approval of the council on academic affairs, and publish this rule in their bulletin or graduate handbook.



(Board approval dates: 7/9/2004, 6/22/2012)

**3335-8-23.1 Retention or disposal of materials submitted to meet course requirements.**

- (A) Materials submitted by a student to satisfy course requirements shall either be returned to the student or made available for the student's inspection, after they have been marked or otherwise evaluated, before the end of the semester, summer term, or session in which the work is performed or, in the case of final projects and final examinations, no later than the fourteenth day of instruction of the following semester, summer term, or session.
- (B) Materials of this kind which have not been returned to the student shall be retained by the academic unit or the individual instructor until the last day on which a grade change may be initiated as provided for in paragraph (A) of rule 3335-8-23 of the Administrative Code. An exception to this rule may be made in the case of materials that are impracticable to store if the need for such exception is clearly communicated in writing and distributed to the students at the beginning of the course.

(Board approval dates: 6/5/1987, 7/9/2004, 6/22/2012)

**3335-8-24 Credit hours.**

- (A) All courses shall be assigned a number of credit hours in accordance with the procedure outlined in rules 3335-8-02 to 3335-8-04 of the Administrative Code. This may be any number from zero on up; however, in determining the credit hours assigned, the department, school, college and council on academic affairs should use as a guide the following suggested standards:
  - (1) One credit hour shall be assigned for each three hours per week of the average student's time, including class hours, required to earn the average grade of "C" in this course.
  - (2) One credit hour shall be assigned for each two consecutive hours of practical or experimental work per week in any department or school.
  - (3) One credit hour shall be assigned for each three hours of laboratory work per week, when no additional outside work is required. When outside work is required, then the standard in paragraph (A)(1) of this rule shall be applied.
- (B) In determining the hours per week required by the course or work, the council on academic affairs may, in appropriate cases, consider the average weekly hours spent during a semester, summer term, or session on the course or work. It should be remembered that the above are guides only and may be deviated from for good cause.
- (C) When comparing or combining semester credit hours with quarter credit hours, one semester credit hour shall be the equivalent of one and one-half quarter credit hours.

(Board approval dates: 7/9/2004, 6/22/2012)

**3335-8-25 Credit points.**

- (A) Credit points shall be assigned on the following basis:

For each credit hour of "A,"	4.0 credit points shall be allowed
For each credit hour of "A-,"	3.7 credit points shall be allowed
For each credit hour of "B+,"	3.3 credit points shall be allowed
For each credit hour of "B,"	3.0 credit points shall be allowed

For each credit hour of "B-,"	2.7 credit points shall be allowed
For each credit hour of "C+,"	2.3 credit points shall be allowed
For each credit hour of "C,"	2.0 credit points shall be allowed
For each credit hour of "C-,"	1.7 credit points shall be allowed
For each credit hour of "D+,"	1.3 credit points shall be allowed
For each credit hour of "D,"	1.0 credit points shall be allowed
For each credit hour of "E,"	0.0 credit points shall be allowed
For each credit hour of "EN,"	0.0 credit points shall be allowed

(B) All other marks (see rule 3335-8-21 of the Administrative Code) carry no credit points.

(Board approval dates: 6/7/2002, 7/9/2004)

### **3335-8-26 Point-hour ratio.**

(A) The point-hour ratio of a student shall be computed by dividing the sum of the applicable number of credit hours (as defined in paragraph (B) of this rule) in which the marks "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," or "EN" have been given into the sum of the credit points (see rule 3335-8-25 of the Administrative Code) assigned for such hours.

(B) When determining the point-hour ratio of a student:

- (1) For a semester, summer term or session, the "applicable number of credit hours" shall be the student's scheduled credit hours in that semester, summer term, or session.
- (2) For the student's work in the university, the "applicable number of credit hours" shall be the total number of credit hours undertaken in the university except as modified by paragraph (A)(2) or (B) of rule 3335-8-27.1 of the Administrative Code.
- (3) For the student's work in the graduate school, the "applicable number of credit hours" shall be the total number of graduate credit hours undertaken while enrolled in the graduate school. For the student's work in a professional college or school or professional division of a college, the "applicable number of credit hours" shall be the total number of credit hours undertaken while enrolled in the professional college or school or professional division of a college.
- (4) For the student's work in the major field of interest, the "applicable number of credit hours" shall be the total number of credit hours undertaken in courses approved for the major program.

(C) No college of medicine point-hour average shall be computed for a student enrolled in the college of medicine in a curriculum leading to the degree, doctor of medicine, when that student has received only the marks of "H," "S," or "U" in the college of medicine.

(Board approval dates: 8/1/1997, 6/7/2005, 12/2/2005, 6/22/2012)

### **3335-8-26.1 Recalculation of cumulative point-hour ratio.**

(A) An undergraduate student who re-enrolls in the university after an absence of five or more years may petition the dean or director of their enrollment unit to recalculate the cumulative point-hour ratio of their previous residency. If the petition is approved, all courses taken will remain on the permanent record. Those with marks of "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "EM," "K," "PA," "PE," or "S" will be counted for credit only. No other marks will be counted for credit.



- (B) If the petition is approved, the student resumes their academic program with no cumulative point-hour ratio, and thereafter is subject to the conditions of warning, probation, and dismissal that govern all students (see rules 3335-9-24 to 3335-9-28 of the Administrative Code).
- (C) Under the provisions of this rule a student, before graduation, must be re-enrolled for a minimum of:
  - (1) Thirty credit hours and
  - (2) Two academic semesters or one semester and one summer term.
- (D) Unless a student has completed sixty credit hours subsequent to the application of a fresh start, in accordance with rule 3335-9-33 of the Administrative Code, all courses ever taken at the university will be used in the calculation of the cumulative point-hour ratio required for the purposes of graduation with honors.
- (E) The graduate school and graduate professional colleges may formulate appropriate modifications of this rule, subject to approval by the council on academic affairs, and shall publish the rule in their bulletin or graduate handbook.

(Board approval dates: 6/7/1979, 7/10/1981, 5/3/1996, 6/22/2012, 4/8/2016, 2/25/2021)

**3335-8-27 Failure in a required course.**

- (A) An undergraduate or professional student who has not been dismissed from the university must repeat in a regularly scheduled class, at the first opportunity, a required course in which a mark of "E" or "EN" has been received, unless an equivalent course is recommended and approved by the authorized representative of the dean or director of the student's enrollment unit.
- (B) A graduate student who has not been dismissed from the university must repeat in a regularly scheduled class a required course in which a mark of "E" or "EN" has been received only if this is required by the student's adviser.

(Board approval date: 6/7/2005)

**3335-8-27.1 Grade forgiveness rule.**

Undergraduate students may petition the authorized representative of the dean or director of their enrollment unit to repeat a course and, after completing the course the second time, have the original course credit and grade excluded from the calculation of the student's cumulative point-hour ratio, but remain on the student's official permanent record. This action will be subject to the following conditions:

- (A) This rule may be applied for a maximum of three courses.
- (B) Grade forgiveness used for a course during Exceptional Circumstances as defined in 3335-8-21 (L) will not count toward the three-course limit.
- (C) The graduate school and graduate professional colleges may formulate appropriate modifications of paragraph (A) of this rule, subject to the approval of the council on academic affairs, and publish the rule in their bulletins.

(Board approval dates: 7/21/1978, 6/7/1985, 6/7/2005, 6/22/2012, 6/5/2015, 4/8/2016, 11/21/2019, 2/25/2021)

**3335-8-28 Repetition of courses.**

- (A) Except as specified by rule 3335-8-27 of the Administrative Code, undergraduate students who have received a mark of "E," "EN," or "NP" in a course at this university may repeat the course for credit at their option.
- (B) Undergraduate or professional students, as defined in rule 3335-9-01 of the Administrative Code, who have received a mark of "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "EM," "K," or "PA" in a course at this university may repeat the course for credit only upon the recommendation of the authorized representative of the dean or director of their enrollment unit.
- (C) A graduate student, as defined in rule 3335-9-01 of the Administrative Code, may repeat for credit any course when approval is given by the student's adviser.
- (D) A student who has audited a course may subsequently repeat the course for credit only upon receiving permission of the authorized representative of the dean or director of the student's enrollment unit.
- (E) The credit hours for a repeated course shall in no case be counted more than once in meeting graduation requirements. When a student repeats a course, both grades appear on the student's record and both are used in computing the point-hour ratio, except as modified by rule 3335-8-27.1 of the Administrative Code.

(Board approval dates: 4/7/2000, 6/29/2001, 6/7/2005)

**3335-8-29 Admission to courses as an auditor.**

An undergraduate or professional student may audit a course upon the approval of the professor in charge of the course and the dean of the college, or designee, in which the student is registered. (For repetition of courses, see rule 3335-8-28 of the Administrative Code.) A graduate student may audit a course upon the approval of the professor in charge of the course and the student's adviser.

(Board approval date: 7/9/2004)

**3335-8-30 Academic standards for dean's list**

- (A) Full-time dean's list
  - (1) To be recognized with the dean's list status, an undergraduate student must:
    - (a) Earn a minimum GPA of 3.5 while successfully completing 12 or more hours of graded coursework in a single term.
    - (b) Not earn any of the following marks during the term in which a 3.5 GPA is achieved: "E," "EN," "NP," "NEN," "U," "UEN," "I," "IX," or "NG."
    - (c) Not have any unresolved "I" or missing marks which, when resolved, might disqualify the student from meeting either (1) or (2), above.
  - (2) For the purposes of this rule, up to and including three (of the minimum 12) credit hours may be from a course utilizing "S/U" grading, when an "S" mark is earned.

(3) For the purposes of this rule, credit hours in a course graded "PA/NP" may not be considered toward the "12 or more hours of graded coursework" required for this recognition.

(4) The granting of grade forgiveness will not result in dean's list being added to a previous term.

(B) Part-time dean's list

(1) To be recognized with the part-time dean's list status, an undergraduate student must:

(a) Be enrolled less than full time in three terms, summer term through the following spring semester. The student must not be enrolled full time in any of the three terms.

(b) Earn a minimum overall GPA of 3.5 while successfully completing 12 or more collective hours of graded coursework during the three terms.

(c) Not earn any of the following marks during the three terms in which a 3.5 GPA is achieved: "E," "EN," "NP," "NEN," "U," "UEN," "I," "IX," or "NG."

(d) Not have any unresolved "I" or missing marks which, when resolved, might disqualify the student from meeting either (2) or (3), above.

(2) For the purposes of this rule, up to and including three (of the minimum 12) credit hours may be from a course utilizing "S/U" grading, when an "S" mark is earned.

(3) For the purposes of this rule, credit hours in a course graded "PA/NP" may not be considered toward the "12 or more hours of graded coursework" required for this recognition.

(5) The granting of grade forgiveness will not result in dean's list being added to a previous term.

(Board approval date: 11/20/2024)

**3335-8-32 Withdrawal from courses or from the university.**

(A) Withdrawal from the university during a semester, summer term, or session, constitutes withdrawal from all courses in which a student is enrolled during that semester, summer term, or session. Upon official notification of the student's withdrawal from the university, the university registrar is authorized to enter the dated notation "withdrew" on the student's official permanent record.

(B) To withdraw from any or all courses, a student must file the appropriate form with the authorized representative of the dean or director of the student's enrollment unit.

(C) Until close of business of the fourth Friday of a semester or summer term; the second Friday of a seven-week session during a semester, or a six- or eight-week session during summer term; or the first Friday of a four-week summer session, a student may withdraw from any or all courses which began in the same semester, summer term, or session and no record for the course(s) will be entered on the student's official permanent record.

(D) After close of business of the fourth Friday of a semester or summer term; the second Friday of a seven-week session during a semester, or a six- or eight-week session during summer term; or the first Friday of a four-week summer session, if a student withdraws from any or all courses which began in the same semester, summer term, or session, the university registrar is authorized to enter the mark "W" on the student's official permanent record for the courses

withdrawn.

- (E) Until close of business on the following days, student may submit a form in their enrollment unit to drop a course or withdraw from the university:
- (1) The tenth Friday, for courses taken during a full-term autumn, spring, or summer semester
  - (2) The sixth Friday, for courses taken during an eight-week summer session
  - (3) The fifth Friday, for courses taken during a seven-week session in an autumn or spring semester
  - (4) The fourth Friday, for courses taken during a six-week summer session
  - (5) The third Friday, for courses taken during a four-week summer session

After those dates, a student, who because of circumstances beyond their control finds it necessary to withdraw from any or all courses, must file the appropriate petition with the authorized representative of the dean or director of the enrollment unit. Reasons not acceptable include (but are not limited to) the student's performance in the course(s), lack of preparation for the course(s), or dissatisfaction with the subject matter offered in the course(s). If the petition is approved, a copy will be filed with the university registrar who is then authorized to enter the mark "W" on the student's official permanent record and the instructor(s) of the course(s) will be so notified. If the petition is not approved, the student continues to be enrolled in the course(s) and a final mark must be submitted by the instructor(s). Withdrawal from any and all courses shall not be permitted after the last day of regularly scheduled classes except when the student experiences a genuine emergency after the regularly scheduled classes end and prior to sitting for the final examination in a given course or courses.

- (F) The above deadlines shall be extended as spelled out in 3335-8-21 (L) (6) in any semester in which Exceptional Circumstances have been declared.

(Board approval dates: 7/9/2004, 6/22/2012, 4/8/2016, 11/21/2019, 2/25/2021)

### **3335-8-33 Conditions and procedures for disenrollment from a course.**

- (A) The instructor (or in the case of a graduate teaching associate, the supervising faculty member), the chair of the instructor's department (with the agreement of the instructor), or other appropriate administrative official may disenroll a student from a course if:
- (1) After the third instructional day of the semester, summer term, or session, the first Friday of the semester, summer term, or session, or the student's second scheduled class meeting of the course, whichever occurs first, the student fails to attend the scheduled course without giving prior notification to the instructor. Under this paragraph, no student may be disenrolled from a course until after the first course meeting following the student's registration. When the department elects to use this procedure, the instructor, the chair, or other appropriate administrative official shall notify the student's enrollment unit. The enrollment unit will notify the student and take appropriate action to remove the student from the course.

Since not all departments exercise the option to disenroll students in all courses, this rule does not relieve the student of the responsibility for dropping a course the student is not attending.

- (2) The student enrolls to audit a course without the instructor's approval, or fails to meet the prerequisites of the course. Disenrollment procedures shall be the same as in paragraph (A)(1) of this rule.
  - (3) Before the fourth Friday of a semester, or summer term, the second Friday of a session during autumn or spring semesters, the second Friday of a six- or eight-week summer session, or the first Friday of a four-week summer session, and following completion of a placement examination, or another appropriate measure of preparation or ability, the student is judged to be registered in an inappropriate course. The department or school offering the course may then instruct the secretary of the college or school in which the student is enrolled to change the student's registration either to a more elementary or more advanced course.
- (B) Disenrollment, under paragraph (A) of this rule, is effective upon action of the instructor, department chair, or other appropriate administrative official.
- (C) Credit for all rescheduled courses resulting from action under paragraph (A)(3) of this rule shall count toward the fulfillment of graduation requirements unless the student has previously earned university or college credit in a course having substantially the same subject matter content or the substituted course is one which the department or school, with the approval of the council on academic affairs, has established for students with inadequate preparation for college level courses of that department or school.
- (D) If a student who has enrolled to audit a course fails to complete the requirements for audit specified by the instructor and also fails to withdraw from the course, the instructor shall so inform the office of the university registrar when marks are reported for the semester, summer term, or session. That office will then disenroll the student from the course, removing the course from the student's permanent record, and will notify the student and the student's college of the action taken.
- (E) After investigation, including consultation with the instructor and the student in question, and utilizing other university resources, as desirable, the chair (or other appropriate administrative official) may disenroll a student from a course if the student presents a clear and present threat of bodily harm or injury to the instructor or fellow students, or, after warning, continues to engage in disruptive conduct, either of which results in impairment of teaching or learning processes:
  - (1) If, after attempting to resolve the difficulty by informal means, the department chair (or other appropriate administrative official) deems disenrollment necessary, the affected student shall be notified in writing. The notice shall be delivered by hand or sent through ordinary mail to the student at the last address supplied pursuant to rule 3335-9-09 of the Administrative Code. Copies of the disenrollment action shall be sent to the dean of the instructional college, the dean of the student's college, the office of the university registrar, and the office of student affairs.
  - (2) The student may appeal to the executive vice president and provost or designee for waiver of disenrollment under paragraph (E) of this rule, provided the appeal is filed within ten days of the disenrollment action. The executive vice president and provost shall make final determination on the appeal within seven days.
  - (3) Disenrollment is effective upon the action of the department chair (or other appropriate administrative official), unless reversed by the executive vice president and provost or designee.
- (F) For disenrollment, exclusive of audit, under paragraphs (A) and (E) of this rule, the university registrar shall enter on the student's official permanent record:





- (1) No mark, if the disenrollment occurs before close of business of the fourth Friday of a semester or summer term, the second Friday of a session during autumn or spring semester, or a six- or eight-week summer session; or the first Friday of a four-week course in summer session; or
- (2) The mark, "W," if the disenrollment occurs after close of business of the fourth Friday of a semester or summer term; the second Friday of a session during autumn or spring semester, or a six- or eight-week summer session; or the first Friday of a four-week course in session.

(Board approval dates: 7/9/1976, 7/22/1977, 4/1/1983, 2/3/1984, 7/6/1984, 4/5/1985, 6/5/1987, 11/2/1990, 7/12/1991, 5/3/1996, 4/4/1997, 12/4/1998, 6/22/2012, 4/8/2016, 11/21/2019)

**3335-8-34 Residence work.**

- (A) Except for cases meeting the conditions of paragraph (B) of this rule, residence credit will be given only for work taken in residence within the basic organization of the educational units of the university. (See rule 3335-1-05 of the Administrative Code.)
- (B) By pre-arrangement with the head of the department or school concerned and with the approval in advance of the appropriate executive committee, an undergraduate student of good standing who has already secured satisfactory credits within a department or school may carry on work in absentia, and secure credit by examination for not to exceed a total of six hours. Credit so secured may be counted as a part of the work of the senior year.

(Board approval date: 7/9/2004)

**3335-8-35 University year.**

- (A) The university year shall include an autumn and spring semester, each of approximately sixteen weeks, and a summer term of approximately thirteen weeks. Semesters, summer term, and sessions are inclusive of instructional days, scheduled reading and exam days, and intra-semester breaks. Autumn and spring semesters may be divided into two sessions of approximately seven weeks each. Summer term may be divided into three continuous sessions of four weeks each, two continuous sessions of six weeks each, or two overlapping sessions of eight weeks each. The university year will begin in the autumn semester.
- (B) The academic calendar, including the dates of the beginning and ending of each semester, term session, finals schedule, and breaks shall be published by the university registrar.

**3335-8-36 Vacations.**

The dates for all university holidays in which university offices will be closed shall be determined by the council of deans and published in the university bulletins as a part of the official calendar.

(Board approval date: 7/9/2004)

**3335-8-37 Convocations.**

A commencement for the conferring of degrees and certificates shall be held after the autumn and spring semester and the summer term.



(Board approval dates: 7/9/2004, 6/22/2012)

## **Chapter 3335-9 Attendance and Graduation**

### **Admission**

#### **3335-9-01 Classification of students for admission.**

Students shall be classified as:

- (A) Undergraduate students: regular or special. This shall include students registered in the colleges of arts; biological sciences; business; food, agricultural, and environmental sciences; education and human ecology; humanities; mathematical and physical sciences; social and behavioral sciences; the division of pre-professional education of the college of education and human ecology; the pre-engineering division of the college of engineering; and the division of continuing education.
- (B) Graduate students: regular, special, graduate nondegree, conditional, or transient. The provisional classification is used in conjunction with the regular, special, and conditional classifications.
- (C) Professional students: regular or special. This shall include students either regularly or specially registered in the colleges or divisions of a college which admit after completion of a pre-professional curriculum.
- (D) Transient students. This shall include regular enrollees of other institutions who with the recommendation of their college authorities enter this university for a brief residence (usually one semester, summer term, or session) without transfer of credits.
- (E) Auditors. This shall include persons who desire to attend classes without receiving credit for any courses taken.

(Board approval dates: 5/4/2001, 7/7/2006, 5/14/2010)

#### **3335-9-02 Time of admission.**

- (A) Admission as an undergraduate student. Undergraduate students who meet all admission requirements may be admitted to any semester or summer term.
- (B) Admission as a graduate student. Graduate students who meet all admission requirements may be admitted to any semester or summer term.
- (C) Admission as a professional student. Professional students who meet all admission requirements may be admitted to any semester or summer term.
- (D) Admission as a transient student or auditor. Transient students and auditors who meet all admission requirements may be admitted to any semester or summer term.

(Board approval dates: 6/7/2005, 6/22/2012)

#### **3335-9-03 Admission requirements.**

Admission requirements, including admission to advanced standing, for entrance into the university shall be adopted by the board of trustees upon recommendation of the appropriate faculty and the approval of the university senate.

**3335-9-04 Specific admission requirements.**

- (A) Undergraduate student. For admission as a regular undergraduate student, an applicant must be a graduate of a high school (or equivalent preparatory school), or must have passed equivalent entrance examinations. For unconditional admission the applicant must present a minimum of fifteen high school units distributed in accordance with a preparatory curriculum approved by the university faculty and must meet the special requirements of the college or school the applicant desires to enter, subject to such deficiencies (or conditions) as that college or school may permit (see also rule 3335-9-24 of the Administrative Code). The preparatory curriculum is not required for the unconditional admission of regular undergraduate students with high school graduation five or more years prior to the first semester or summer term of enrollment.

For admission as a special undergraduate student, an applicant must satisfy the executive vice president and provost, or designee, that the applicant is qualified to undertake the special program desired.

- (B) Graduate student. An applicant must meet the admission criteria established by the graduate council. All applicants must specify a field of specialization.
- (C) Professional student. An applicant for admission as a regular or special student in a professional program must meet the pre-professional requirements of the school, college or division of a college the applicant desires to enter. If the applicant does not meet the pre-professional requirements, the applicant may be admitted subject to such deficiencies (or conditions) as that school, college or division of a college may permit.
- (D) Transient student. To be considered for admission as a transient student, the applicant must present a brief, definite program endorsed by the president or dean of the student's university or college. Where this and all other pertinent matters are satisfactory to the director of admissions, the applicant may be admitted unless there is objection by the college, school or division of which the applicant seeks admission.

(Board approval dates: 11/3/2000, 6/7/2005, 5/14/2010)

**3335-9-05 Admission of an undergraduate special student to regular standing.**

An undergraduate special student who has completed two full years of college work and who desires to become a candidate for a degree may be transferred by the director of undergraduate admissions to the standing of a regular student by one of the following methods:

- (A) By meeting the entrance requirements of the college or school in which they desire to attain regular standing.
- (B) By assuming an addition of thirty semester hours and sixty points to the requirements of their curriculum.
- (C) By such other adjustments as may be approved by the undergraduate admissions office and the executive committee of the college concerned.

(Board approval date: 6/22/2012)

**3335-9-06 Admission to advanced standing.**

- (A) An applicant presenting credentials for admission to advanced standing as an undergraduate student will in general be refused admission unless the applicant's record is at least "C" as an average of all courses undertaken.
- (B) The director of undergraduate admissions may admit an applicant who does not fully meet this standard, provided the applicant's record is one that shows progressive improvement and provided the total credits allowed shall not be more than one-half the credit points counted on the applicant's complete record.
- (C) An undergraduate applicant having fewer than thirty transferable semester or forty-five transferable quarter credit hours at the time of first enrollment shall be subject to the provisions of paragraph (A) of rule 3335-9-04 of the Administrative Code and paragraph (B) of rule 3335-9-25 of the Administrative Code.

(Board approval dates: 5/4/2001, 6/22/2012)

**3335-9-07 Academic aptitude and course placement test.**

- (A) Every undergraduate student, excepting transient students, attending the university for the first time, is required to take an academic aptitude test under the supervision of the university orientation and testing center. They shall also take such course placement tests as are required by the appropriate college, school, or department.
- (B) The taking of this test by students entering the graduate school, the professional division of the college of engineering, or the colleges of dentistry, law, medicine, optometry, pharmacy, or veterinary medicine shall be optional with the graduate school or these colleges.

(Board approval dates: 8/1/1997, 12/5/2005)

**3335-9-08 Medical examination and enrollment denial for medical reasons.**

- (A) After admission, but prior to enrollment, each student seeking to enroll shall complete and submit to the university health service medical information in a form prescribed by the health service. Failure to comply with this requirement may result in denial of enrollment.
- (B) Students with certain physical, psychological or emotional health conditions may be subject to a hold from enrollment. Such a hold may be imposed when there is clear and convincing evidence that:
  - (1) The student's current state of physical health poses a substantial danger to the health and well-being of other members of the university community; or
  - (2) The student is suffering from a mental disorder and as a result of that disorder engages, or threatens to engage in behavior which:
    - (a) Poses a substantial danger or risk of causing harm to the student or to others; or
    - (b) Poses a substantial danger or risk to university property, or to the property of another member of the university community.
- (C) When the health of a student is alleged to be as defined in paragraph (B) of this rule, the director of

the university health service, or designee, shall consult with the student about the student's health status. If the director decides it is necessary, the student may be required to submit to examination(s) deemed sufficient to evaluate such condition. The university health service will then review the case, including any medical evidence or opinion available, and determine appropriate university action. If the student fails to submit to an examination, or fails to furnish relevant health condition information, or if the review by the director discloses the existence of an immediate danger to the university community as set out in paragraph (B) of this rule, the student may be subject to a hold from enrollment; or conditions appropriate to protect the university community may be placed upon enrollment. In arriving at appropriate action, the director will take into account reasonable action on the part of the university to accommodate the student's condition.

- (D) If a student has been placed on a hold from enrollment, or otherwise experienced modification of enrollment status by reason of health conditions enumerated in paragraph (B) of this rule, the student may petition for revision of that status through the office of the vice president for student life.
- (1) Such request must be accompanied by supporting documentation that the conditions for revision of enrollment status have been fulfilled, and/or that the health condition has changed sufficiently to make revision appropriate. Upon receipt of such request, the vice president for student life will evaluate the evidence, or convene the case consultation committee (composed of representatives of counseling and consultation service, university health service, the student's academic unit, and other academic/administrative units as appropriate) for that purpose, and decide to:
    - (a) Approve enrollment without condition;
    - (b) Approve enrollment with specified conditions such as medical treatment; or
    - (c) Deny enrollment.
  - (2) The student must, in addition, meet all normal and appropriate standards for enrollment set by the academic unit in which the student seeks to enroll.

(Board approval dates: 6/1/2001, 5/14/2010)

### **3335-9-09 Student addresses.**

At the time of registration each student shall submit to the office of the university registrar the address of the person who should be notified in case of emergency and their local address. All subsequent changes to these addresses shall be promptly reported to the office of the university registrar as long as the student is currently enrolled at the university.

### **3335-9-10 Removal of entrance conditions.**

Entrance conditions assessed against students at the time of admission or transfer to a college may be removed by the executive vice president and provost, when the dean of a college in which the conditioned student is registered has certified to the director of admissions that the deficiencies have been made up. The methods to be followed in making up entrance conditions shall have the joint approval of the director of admissions and the dean of the college concerned and, for undergraduate students, shall be in accordance with policies established by the council on academic affairs in consultation with the council on admission and registration. Removal of entrance conditions shall take precedence over the student's regular college schedule. If credits earned in the university are to be substituted for such deficiencies, the student must earn a grade of "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+" or "D" in courses approved to remove admission conditions.

(Board approval dates: 4/4/1997, 7/10/1998, 12/4/1998)

**3335-9-11 Faculty, and senior administrative and professional employees pursuing additional degrees.**

Faculty members: No tenure-track faculty member, clinical/teaching/practice faculty member, associated faculty member, nor research faculty member will be permitted to pursue a degree offered by the TIU in which the faculty member holds an appointment, as defined in rule 3335-6-06 of the Administrative Code. In those instances where faculty members wish to pursue degrees in other units or programs of this university, they must demonstrate that the acquisition of these degrees enhances their own competence as teachers and scholars. In making decisions to pursue additional degrees, these faculty must consider first and foremost the requirements of their total university commitment and responsibilities. Requests to pursue additional degrees must be approved by the faculty member's TIU head and dean and by the dean of the college or director of the program in which the degree would be granted.

Senior administrative and professional appointees: In those instances where senior administrative and professional appointees wish to pursue degrees at this university, they must demonstrate that the acquisition of these degrees enhances their competence as university employees. In making decisions to pursue additional degrees, senior administrative and professional appointees must consider first and foremost the requirements of their total university commitment and responsibility. Requests to pursue additional degrees must be approved by the immediate supervisor; the TIU head, dean or the appropriate vice president, in whose area the senior administrative and professional appointee holds position; and dean of the college or director of the program in which the degree would be granted.

(Board approval dates: 6/14/1948, 11/1/1985, 11/2/1990, 5/3/1996, 4/4/1997, 12/4/1998, 6/7/2005, 6/6/2014, 5/31/2019, 6/3/2020)

**Registration and Payment of Fees**

**3335-9-12 Enrollment conditional upon payment of fees.**

All bills, fees, and deposits required from students for a semester, summer term, or session, must be paid at the office of fees and deposits no later than the fee payment deadline for that semester, summer term, or session set by the office of the university registrar and approved by the council on enrollment and student progress.

(Board approval dates: 6/7/2005, 5/14/2010)

**3335-9-13 Application and acceptance fees.**

- (A) Undergraduates. Undergraduate applications for first admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.
- (B) A non-refundable acceptance fee is assessed all students enrolling for the first time in one of the university's undergraduate degree-granting colleges or schools or university college. The acceptance fee is to be paid prior to orientation or release of registration materials.
- (C) Professional. Professional applications for admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.

- (D) A non-refundable acceptance fee is assessed all students enrolling for the first time in one of the professional colleges of the university. Payment is to be made prior to release of registration materials.
- (E) Graduate. A non-refundable acceptance fee is assessed all students, except graduate non-degree students, enrolling for the first time in the graduate school of the university. Payment is to be made prior to registration.
- (F) Graduate applications by foreign students for first admission to the university must be accompanied by an application fee. This fee is non-refundable and is not credited against any other fees charged by the university.

**3335-9-14 Time of registration and payment of fees; penalties.**

- (A) Payment of fees is required of all students each semester, summer term, or session, by the close of business on the date established by the executive vice president and provost in cooperation with the appropriate offices, and published by the office of the university registrar. This fee payment deadline will apply to the postmark date for fees paid by mail and to the date of receipt for fees paid in person. Failure to meet this requirement will result in a penalty assessment, unless excused by the university registrar or designee.
- (B) Students whose fees are paid under contract with a third party will be held responsible for payment if the third party defaults or the contract is terminated.
- (C) The university registrar, as the designee of the executive vice president and provost, reserves the right to refuse registration if fees are not paid by the date on which they are due.

(Board approval dates: 4/4/1997, 12/4/1998, 12/6/2001, 3/1/2002, 6/22/2012)

**3335-9-15 Penalty for payment of fees when payment is not honored.**

The registration of any student who pays fees by a payment that is not honored upon presentation is subject to cancellation. If permitted to reregister and/or pay, the student will be assessed a penalty for reregistration and the regular penalty for late payment provided for in rule 3335-9-14 of the Administrative Code.

**3335-9-16 Administrative holds.**

- (A) With the approval of the executive vice president and provost, an administrative hold may be placed on the records or accounts of any person who fails to comply in a reasonable period of time with an obligation imposed under university rules or who has an overdue debt or fine. An administrative hold will cause certain services to be withheld, including, but not limited to: obtaining current semester, summer term, or session grades, registering or enrolling, being certified as eligible to obtain a degree or certificate, borrowing books or equipment, or participating in discount plans available to faculty, staff, or alumni.
- (B) The unit originating an administrative hold on the records or accounts of any person shall notify the person in writing of the obligation that is overdue by providing another itemized billing or list of actions requested, specifying when the administrative hold will become effective, and indicating the name and method of contacting an individual who can provide additional information.
- (C) Any disputes concerning the legitimacy of a hold or its processing will be resolved by the university registrar.

(Board approval dates: 4/4/1997, 12/4/1998)

### **3335-9-17 Timely registration.**

All students are required to submit course requests each semester, or session, following procedures promulgated by the office of the university registrar. Failure to comply with this rule will result in a penalty assessment.

(Board approval dates: 6/7/2005, 6/6/2014)

#### **3335-9-17.1 Additions to approved schedules.**

- (A) Until the official closing time on the first Friday of a semester or summer term, a session of autumn or spring semesters, or a six- or eight-week summer session, additions to approved schedules in undergraduate colleges require the approval of the student's enrollment unit.
- (B) After the first Friday of a semester or summer term, a session of autumn or spring semesters, or a six- or eight-week summer session, and until the official closing time of the second Friday, additions to approved schedules require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit.
- (C) After the second Friday of a semester or summer term, a session of autumn or spring semesters, or a six- or eight-week summer session, additions to approved schedules will not be permitted. Exceptions will be granted only by petition. Petitions must be filed with the authorized representative of the dean or director of the student's enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control. Additions also require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department), the permission of the chair of the instructor's department or the director of the school (or of the designated representative of the chair or the director).
- (D) Because of the accelerated nature of four-week session courses in summer term, deadlines for adding these courses are as follows: after the first day of classes until the official closing time on the first Friday of each four-week session, a student may add a course only with the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department) and the approval of the student's enrollment unit. After this date a student wishing to add a four-week session course to the approved schedule must petition the authorized representative of the dean or director of the student's enrollment unit. Petitions will be approved only on the basis of clearly documented clerical error or unusual and extenuating circumstances beyond the student's control. Additions also require the permission of the instructor (or, with the instructor's concurrence, a representative as appointed by the department), the permission of the chair of the instructor's department or the director of the school (or of the designated representative of the chair or the director).
- (E) For courses of shorter duration deadlines and approval procedures will be established by the instructional unit in which the course is offered after consultation with the office of the university registrar.
- (F) The graduate school and graduate professional colleges shall formulate rules to govern additions to approved schedules, subject to approval of the council on academic affairs and publish them in their respective bulletins.



(Board approval dates: 12/8/1977, 2/3/1984, 2/1/1991, 5/3/1996, 6/22/2012, 4/8/2016)

**3335-9-18 Return of fees.**

- (A) Fees (except for the application and acceptance fees) are returnable in part if a student withdraws from the university for any cause other than at the request of the university and if such withdrawal is made within the period established by the executive vice president and provost in cooperation with the appropriate offices, and published by the office of the university registrar. The application fee and the acceptance fee are not returnable irrespective of the reason for withdrawal.

Students dismissed from the university or withdrawing at the request of the university are not entitled to any refund of fees.

- (B) In order to be eligible for the listed refund, the student's record and account must be free of any administrative hold (see rule 3335-9-16 of the Administrative Code).
- (C) If exceptional conditions prevent the presentation of the authorization to withdraw at the office of fees and deposits at the proper time, and if the student has not been able to attend classes during this time, the case should be referred for decision to the university registrar or designee.
- (D) If fees are paid under mistake of law or fact, they are returnable in full.
- (E) Fees are not returnable except as provided in this rule.

(Board approval dates: 3/1/2002, 6/7/2005)

**3335-9-19 Instructional and general fees for instructors, graduate teaching associates, graduate research associates, graduate administrative associates, fellows, scholars, and university employees.**

- (A) "Fees authorized" are those fees which are paid on behalf of a student through university accounts for the purpose of services rendered, employee benefits or student assistance. A fee authorization provides the authority to spend money from whatever account is specified to pay student fees. All fees must be authorized following procedures promulgated by the office of fees and deposits. An approved fee authorization will be processed as an expenditure against the department and account specified.
- (B) The payment of instructional and general fees may be authorized, except as specifically prohibited by the university, for those within the following classifications:
- (1) Members of the instructional staff of the university, with the rank of instructor and above who were employed before July 1, 1955 and who are registered in the graduate school, and any member of the teaching staff who, on the approval of the appropriate instructor and department chair or director of a school, enrolls as an auditor (rule 3335-9-11 of the Administrative Code).
  - (2) Graduate teaching associates, graduate research associates, and graduate administrative associates who meet the specified requirements of enrollment and employment may have their instructional and general fees authorized for payment as a benefit for services rendered.





- (3) Employees of organizations having specific contracts with the board of trustees of the university whereby fees of persons designated by the agreement are authorized, in whole or in part, in lieu of payment for service rendered by the organization to the Ohio state university.
  - (4) Undergraduate and professional students eligible for the authorization of fees under scholarship assistance programs.
  - (5) Graduate students eligible for the authorization of fees under university, private, and governmental fellowships and traineeship agreements.
  - (6) Qualified university employees under the provisions of the fee authorization program as administered by the office of human resources. As a general principle, employees who are members of the administrative or clerical staff of the university will not be permitted to take courses except outside of the prescribed working hours.
- (C) The president, subject to the approval of the board of trustees, shall have authority to enter into an agreement with an organization or person not provided for in another category.
- (D) A copy of the agreement and the names of person, or persons, designated to sign and certify fee authorizations will be filed with the office of human resources. All agreements shall contain information as to who is responsible for the overall administration of fee authorizations for these programs. Problems of coordination and individual cases that need interpretation of the rules concerning fee authorizations shall be referred for decision to the office of human resources.
- (E) In all cases where interpretation and application of the rules specified herein are required, the question shall be referred for decision to the office of human resources.

(Board approval date: 6/7/2005)

### **3335-9-20 Improper admission or registration.**

Admission or registration may be cancelled by the director of undergraduate admissions or the university registrar in cases of improper registration or when false or incomplete information is provided on the application for admission, registration forms, or other official documents. No credits earned subsequent to such cancellation and prior to proper admission or registration shall be entered upon the permanent record of the student. Students whose admission or registration is cancelled are not entitled to any refund of fees.

(Board approval date: 5/4/2001)

## **Absences**

### **3335-9-21 Individual Absences.**

Each department, college, or school may make its own rules relative to occasional absences by students from scheduled activities, so long as they are consistent with university policies. Each course instructor may also have rules pertaining to individual absences, so long as they are consistent with department, college, school, or university policies. All rules pertaining to individual absences must comply with applicable federal and state laws, such as federal disability laws, or the Ohio law on accommodating religious observances and applicable university policies, including but not limited to, those pertaining to disability and religious accommodation.

(Board approval dates: 2/22/2024)

**3335-9-22 Group absences.**

- (A) Whenever possible, group absences shall be planned so that they do not conflict with regularly scheduled classes.
- (B) When a student misses class in order to participate in a university sanctioned event, such as a field trip for another class, or an athletic or band event, or a specially scheduled class or examination scheduled in accordance with rule 3335-8-15 of the Administrative Code, it is the student's responsibility to present, at the earliest possible date, documentation of the required absence to each instructor whose class is to be missed. Documentation may include a copy of the course syllabus that shows the scheduled activity from a class scheduling an event or special session, or a memo from the instructor, coach, or person in authority requiring the absence. It shall be the responsibility of the instructor of the class or coordinator of the event causing the student to miss class to provide such documentation to the student. This documentation may be the basis of an excuse for an absence from class under the policies provided in rule 3335-9-21 of the Administrative Code.
- (C) Instructors of the regularly scheduled classes which have been missed by students attending special sessions or examinations should make reasonable efforts to assist students who miss a class due to authorized absence. The instructor, however, is not obligated to provide make-up classes, laboratory exercises, field trips, or examinations. The student is responsible for material covered in class during the absence. If an examination will be missed, the student should make alternate arrangements prior to the absence with the instructor of the class.

(Board approval dates: 6/3/1988, 6/4/2004)

**Warning and Dismissal****3335-9-23 Minimum scholastic requirements.**

- (A) Rules 3335-9-23 to 3335-9-28 of the Administrative Code shall apply only to undergraduate students (as defined in rule 3335-9-01 of the Administrative Code). The academic standards controlling warning, probation, and dismissal of professional and graduate students shall be established by rule of the faculties of the college in which the professional student is registered, or of the graduate school if the student is a graduate student; provided, however, that an undergraduate professional student shall not be dismissed from the university unless they have first been placed on probation following their most recent past quarter, semester, or term of enrollment.
- (B) Application of rule to transfer students. For the purpose of this rule the point-hour ratio of a transfer student from another university, who is admitted to advanced standing in this university shall be computed only upon work done at this university.
- (C) Requirements and definition. A cumulative point-hour ratio (see rule 3335-8-26 of the Administrative Code) of at least 2.00 is required for graduation (see rule 3335-9-30 of the Administrative Code). Students below a 2.0 will remain eligible to enroll at the university, subject to the terms of their probation, as long as they have not been academically dismissed. Deficiency points are applied only to the records of students whose cumulative point-hour ratio is below 2.00 and are defined as the number of credit points a student would have to earn to bring their cumulative point-hour ratio up to that level. Deficiency points may be calculated by subtracting the total number of credit points earned from twice the total number of credit hours attempted for which calculable grades ("A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," or "EN") were given.

(Board approval dates: 6/4/2004, 6/7/2005, 4/4/2014)

**3335-9-24 Academic warning.**

- (A) Any student who has never attended another college or university and who seeks to enroll as a new freshman in this university shall be placed on special warning when their application for admission is received and processed if their academic credentials indicate the probability of low achievement. The student shall be so informed before final registration and the payment of fees are completed, except as provided in rule 3335-9-27 of the Administrative Code. The fact that special warning has been given shall be made known to the office of the college or school to which the student seeks admission.
- (B) If, at the end of their first semester, summer term, or session, a student subject to the provisions of rule 3335-9-23 of the Administrative Code has earned a point-hour ratio below 2.00, they may receive a warning from the dean of their college or director of their school instead of being placed on probation.

(Board approval dates: 6/22/2012, 4/4/2014)

**3335-9-25 Academic probation.**

- (A) Any student whose cumulative point-hour ratio has fallen below a 2.00 shall be placed on probation. The probation shall continue provided the student's college considers the student's progress to be satisfactory and shall be removed when the cumulative point-hour ratio has reached a 2.0. The student shall be notified of probationary status by the dean of the college or the director of the school in which the student is registered, except as provided in rule 3335-9-27 of the Administrative Code. Such notification shall include a clear statement of what shall be considered to be satisfactory progress.
- (B) Probation by special action. If at any time the preparation, progress, or success of a student in an academic program is determined to be unsatisfactory, the college or school in which the student is registered shall be empowered to place the student on academic probation. An undergraduate student admitted with conditions and who has not satisfied the conditions after earning thirty semester credit hours through regular course enrollment at this university shall be placed on probation.

(Board approval dates: 6/4/2004, 6/7/2005, 6/22/2012, 4/4/2014)

**3335-9-26 Academic dismissal.**

If the student's college or school considers a student's progress as unsatisfactory in meeting the conditions placed on their probation, the college or school shall be empowered to dismiss the student from the university. An exception to this authority for undergraduate professional students shall be in accordance with paragraph (A) of rule 3335-9-23 of the Administrative Code. Notice of the dismissal shall be sent to the student by the dean of the college or the director of the school in which the student was registered for the semester, summer term, or session, except as provided in rule 3335-9-27 of the Administrative Code. No student shall be subject to academic dismissal unless they are currently on probation.

(Board approval date: 5/14/2010)

**3335-9-27 Notice of dismissal.**

Notice of dismissal from the university shall be sent by the dean of the college in which the dismissed student is registered.

**3335-9-28 Reinstatement after academic dismissal.**

Any student who may be reinstated by a college or school following academic dismissal shall be subject to such special requirements as may be determined appropriate by the dean of the college or director of the school. If the performance record of any reinstated student does not meet the conditions of probation specified at the time of reinstatement, then the college or school in which the student is registered shall determine whether the student is to be dismissed or continued on probation.

**Graduation****3335-9-29 Degrees and certificates.**

- (A) Degrees and certificates shall be awarded undergraduate and professional students by the board of trustees upon recommendation of the college or school faculties and the university senate, transmitted to the board by the president.
- (B) Degrees and certificates shall be awarded graduate students by the board of trustees upon recommendation of the graduate council and the university senate, transmitted to the board by the president. (See rule 3335-5-35 of the Administrative Code.)

(Board approval date: 6/7/2005)

**3335-9-30 Requirements for an undergraduate baccalaureate degree.**

To obtain an undergraduate baccalaureate degree from this university, an undergraduate student must:

- (A) Have earned a minimum of thirty semester credit hours through regular course enrollment at this university.
- (B) Have been enrolled in the college or the school recommending that degree during the last semester, summer term, or session necessary to complete degree requirements. The executive committee of the college or the school recommending the degree may, on petition by the student, waive this requirement.
- (C) Have satisfactorily completed the number of credit hours required for the curriculum being pursued. The minimum number of credit hours required in each curriculum shall include the credit hours required under rule 3335-8-07 of the Administrative Code. Credit hours required to satisfy admission conditions shall not be used to satisfy the requirements of rule 3335-8-07 of the Administrative Code. Credit hours are considered as "satisfactorily completed" only if the student has received, at this university, the mark "A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "EM," "K," "S," or "PA" or "PE" in those hours (see rule 3335-8-21 of the Administrative Code).
- (D) Have earned credit points (see rule 3335-8-25 of the Administrative Code) totaling at least twice the number of credit hours attempted at this university for which calculable grades ("A," "A-," "B+," "B," "B-," "C+," "C," "C-," "D+," "D," "E," or "EN") were given.
- (E) Have satisfactorily met all additional college and curricular requirements for the degree involved.
- (F) Have filed an application for the degree in accordance with rules prescribed by the college or school.
- (G) Except for paragraph (B) of this rule, waiver of any part of this rule in the case of individual students may be made only by the council on academic affairs following prior approval by the appropriate

executive committee. The executive vice president and provost shall transmit all affirmative actions of the council on academic affairs under this paragraph to the secretary of the student's college and to the university registrar for notation on the student's permanent record.

(Board approval dates: 4/4/1997, 12/4/1998, 6/4/2004, 6/7/2005, 6/22/2012, 2/1/2013, 6/7/2013, 6/6/2014, 2/25/2021)

### **3335-9-31 Requirements for a graduate degree.**

To obtain a graduate degree from this university, a graduate student must have met the minimum requirements established by the graduate council and approved by the board of trustees, and have filed an application for the degree in accordance with rules prescribed by the graduate council.

(Board approval date: 6/7/2005)

### **3335-9-32 Requirements for a professional degree.**

- (A) To obtain a professional degree from this university, a student must meet the minimum requirements established by the college or school recommending the degree. In establishing such minimum requirements, the college or school shall include or exceed the minimum requirements stipulated by the appropriate accrediting body. Such graduation requirements shall be subject to approval by the council on academic affairs and shall be filed with the secretary of the board of trustees.
- (B) Waiver of minimum requirements may be made by the faculty of the college or school recommending the degree or by a committee approved by that faculty. Requests for such waiver may be initiated by student petition or by the dean or director. The council on academic affairs shall be notified each semester, summer term, or session term of such actions.

(Board approval date: 5/14/2010)

#### **3335-9-32.1 Requirements for certificate of study.**

A certificate of study may be awarded concurrent with or following the student's receipt of a baccalaureate degree. Award of such certificates shall attest to demonstrated competence in a coherent academic curriculum, program, or area of study.

- (A) To obtain a certificate a student must:
  - (1) Have been or be enrolled in the university during the last semester, summer term, or session of work necessary to complete the certificate requirement. In addition, the student must meet any residency requirement established by the college or school recommending the certificate.
  - (2) Have earned through regular course enrollment a minimum of thirty semester credit hours in an approved certificate program. No certificate program shall require enrollment in and credit for more than sixty semester credit hours. At least one-third of all semester credit hours earned in a certificate program shall be at the 4000-level or above. No more than five credit hours in the certificate program may be counted toward the student's undergraduate major or minor. Credit hours used to fulfill the requirements for one certificate may not be counted toward any other certificate.
  - (3) Have earned the mark of "A," "A-," "B+," "B," "B-," "C+," "C," or "C-" for all courses counted toward the completion of the certificate requirements.

- (4) Have attained an undergraduate cumulative grade point average of 2.00 (or a graduate cumulative grade point average of 3.00, as appropriate) in courses used to satisfy the certificate program requirements.
  - (5) Have satisfactorily met all additional college or school requirements for the certificate involved.
  - (6) Have filed an application for the certificate in accordance with rules prescribed by the college, or school.
- (B) Waiver of any part of this rule in the case of individual students may be made only by the council on academic affairs upon recommendation of the executive committee of the college, colleges, or school. The executive vice president and provost shall transmit all affirmative actions of the council under this section to the secretary of the student's enrollment unit and to the university registrar for notation on the student's permanent record.
- (C) The colleges of dentistry, law, medicine, optometry, pharmacy, and veterinary medicine, and the graduate school may establish requirements and conditions, rather than those above, for certificates of study. Such requirements must be approved by the council on academic affairs.
- (D) Authority for approval of all certificate programs shall rest with the council on academic affairs. Proposal for graduate certificates must also receive the approval of the graduate council. The president of the university and the university senate shall be regularly informed of council actions in this regard.

(Board approval dates: 2/2/1979, 2/3/1984, 7/12/1985, 11/2/1990, 4/4/1997, 12/4/1998, 6/7/2005, 12/2/2005, 6/22/2012, 2/1/2013)

### **3335-9-33 Standards for honors at graduation.**

- (A) Degrees "cum laude," "magna cum laude," and "summa cum laude" may be granted for exceptional achievement in the curriculum of each enrollment unit. The designation "summa cum laude" may be granted only for those students who have achieved at least a 3.90 cumulative point-hour ratio as of the term penultimate to their graduation. The designation "magna cum laude" may be granted only for those students who have achieved at least a 3.70 cumulative point-hour ratio as of the term penultimate to their graduation. The designation "cum laude" may be granted only for those students who have achieved at least a 3.50 cumulative point-hour ratio as of the term penultimate to their graduation.
  - (1) Should a student not meet the criteria noted in paragraph (A) of this rule as of the term penultimate to their graduation, but meet the criteria based on their cumulative GPA at the time of graduation, they will be considered as having met the criteria to graduate with the appropriately revised recognition.
  - (2) Should a student meet the criteria noted in paragraph (A) of this rule as of the term penultimate to their graduation, but drop below the threshold with their final cumulative GPA, they will not be considered to lose their Latin honors recognition for graduation.
- (B) Eligibility for these honors shall be based on a minimum of sixty credit hours of course enrollment at this university. The marks for all coursework at this university considered toward the degree will be included in calculating a student's eligibility for such honors. Credits in courses graded "S/U," as well

as credits earned in repeatable coursework will be considered as counting toward the sixty credit hours. Credits in courses graded "PA/NP," as well as credits earned in coursework repeated in rule 3335-8-28 of the Administrative Code will not be considered as counting toward the sixty credit hours. For a student who has completed sixty credit hours subsequent to application of a fresh start, in accordance with rule 3335-8-26.1 of the Administrative Code, only those marks received for coursework subsequent to fresh start will be considered toward calculating a student's eligibility for such honors.

- (C) Standards for graduation "with research distinction in [special subject(s)]," "with honors research distinction in [ ]," and "with honors in [ ]" shall be as adopted by the council on academic affairs. Eligibility for these honors shall be based on a minimum of sixty credit hours of course enrollment at this university. The marks for all coursework at this university considered toward the degree will be included in calculating a student's eligibility for such honors. Credits in courses graded "S/U" and credits earned in repeatable coursework will be considered as counting toward the sixty credit hours. Credits in courses graded "PA/NP" and credits earned in coursework repeated in rule 3335-8-28 of the Administrative Code will not be considered as counting toward the sixty credit hours.
- (D) Beyond these minimal requirements the enrollment units may establish additional stipulations for graduation "cum laude," "magna cum laude," and "summa cum laude."

(Board approval dates: 3/5/1976, 3/6/1992, 6/2/2000, 6/4/2004, 6/6/2008, 2/11/2011, 4/8/2016)

## **Chapter 3335-11 Student Affairs**

### **3335-11-01 General discipline.**

- (A) The president shall have the final responsibility and authority for the discipline of all students of the university. The president may delegate this responsibility and authority (see paragraph (E) of rule 3335-1-03 of the Administrative Code).
- (B) The deans of colleges and of the graduate school, the directors of schools, and the chairs of departments, respectively, are responsible to the president through regular disciplinary channels for the discipline of all students in the activities of their respective colleges, schools, and departments.

(Board approval dates: 9/1/1999, 6/1/2001, 5/14/2010, 4/8/2016)

### **3335-11-02 Disruption.**

- (A) No student, faculty, staff, visitor, or other person shall, with an intent to disrupt university authorized activities:
  - (1) Obstruct the lawful movement of any person or persons about the campus, into or out of any university building or facility, or within any university building or facility and fail to desist when so ordered by an authorized university official;
  - (2) Obstruct the movement of vehicular traffic on the streets of the university, and fail to desist when so ordered by an authorized university official;
  - (3) Occupy a university building or facility in such a manner as to prevent others from carrying out university authorized activities and fail to depart when informed by an authorized university official that they are disrupting university authorized activities and must depart;





- (4) Interfere with the conduct of a class, office, laboratory, or other university authorized activity by shouting, chanting, marching, throwing objects, or otherwise creating such a disturbance that the authorized activity cannot, in the judgment of an authorized university official, be carried on, and fail to desist when so ordered by an authorized university official;
  - (5) Employ force or violence or the explicit threat of force or violence, to prevent any person or persons from carrying out university authorized activities;
  - (6) Damage public address systems, video displays, laboratory equipment, computer systems, or other property used for the carrying out of university authorized activities;
  - (7) Solicit any person or persons to violate paragraphs (A)(1) to (A)(6) of this rule, knowing that there is a clear and present danger that such violations will occur (but a person shall not be charged with soliciting unless a violation of paragraphs (A)(1) to (A)(6) of this rule occurs as a result of this solicitation).
  - (8) This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a peaceful boycott of classes or other forms of peaceful dissent.
- (B) Any student found guilty of the conduct proscribed in paragraphs (A)(1) to (A)(7) of this rule shall be subject to maximum sanction of dismissal or any lesser disciplinary sanction pursuant to rule 3335-11-02.1 of the Administrative Code.
- (C) Non-students charged with the conduct proscribed in paragraphs (A)(1) to (A)(7) of this rule shall be referred to an appropriate authority.
- (D) Definitions.
  - (1) The phrase "with an intent to disrupt" shall be taken to mean that a person knows or reasonably should know that their act or acts will have the consequence of preventing others from carrying out university authorized activities.
  - (2) The phrase "to obstruct" shall be taken to mean making the movement of a person or vehicle from one place to another difficult or impossible; it shall not be taken to mean making that movement inconvenient.
  - (3) The phrase "university authorized activity" shall be taken to mean any activity that the university conducts, sponsors, or permits to be carried out on the campus or in any university building or facility.
  - (4) The phrase "an authorized university official" shall be taken to mean any person to whom the university has delegated authority to supervise a building or facility, or any part of a building or facility, or to supervise the movement of people and vehicles on the campus.
  - (5) The phrase "campus" shall be taken to mean university owned or controlled property.

**3335-11-02.1 Hearing officers and panels.**

- (A) The council on student affairs shall recommend to the president, subject to the approval of the board of trustees, a list of attorneys, unaffiliated with the university, who shall be authorized to act as hearing officers to preside over disciplinary proceedings under rule 3335-11-02 of the Administrative Code.



One such attorney shall be designated by the president as chief hearing officer, whose duties shall include:

- (1) Assisting the council on student affairs in preparing and enacting procedural rules to guarantee due process, including, but not limited to, the procedural recommendations contained in the report and recommendations of the university committee on rights and responsibilities (the Ohio state university, September 15, 1968);
  - (2) Selecting hearing officers as needed from the approved list;
  - (3) Reviewing every case in which sanctions have been recommended, to determine whether such sanctions should be imposed or reduced, or whether the case should be dismissed or remanded for further hearing;
  - (4) Forwarding completed cases to the vice president for student life for administrative implementation in accordance with their final determination by the chief hearing officer;
  - (5) Hearing on appeal student disciplinary cases, not including university actions relating to academic failure or violations of a code of professional ethics or of an honor code of these colleges or academic units having such codes, where an appeal is taken by any student from any such action by the student's college, university committee, or other properly authorized university adjudicatory body, only in those cases where the penalty assessed was suspension, dismissal, or expulsion.
- (B) That an array of hearing panelists, large enough to allow at least three panels, shall be selected by lot consisting of:
- (1) Faculty members,
  - (2) Undergraduate students,
  - (3) Graduate and professional students, and
  - (4) Administrative staff members.

Any person selected to serve as hearing panelist may be exempted from such service if that person declines.

- (C) The chief hearing officer shall, by lot, select from the array hearing panels, each composed of two faculty members, two undergraduate students, one graduate or professional student, and one administrative staff member. The hearing panels shall have original jurisdiction to hear cases of alleged student violation of rule 3335-11-02 of the Administrative Code brought before it by authorized university officials, make findings of fact, determine a verdict, and, in the event of a guilty verdict, to recommend sanctions.
- (D) The university and the defendant shall have the right to challenge for cause. The hearing officer shall hear challenges for cause.

(Board approval dates: 5/1/1986, 7/12/1991, 4/3/1998, 6/1/2001, 5/14/2010)

**3335-11-02.2 Pending criminal law suit.**

- (A) Whenever a criminal court exercises jurisdiction over acts which allegedly constitute a disruption by university rules, the university shall not exercise jurisdiction, except in an extraordinary case. In such a case, the university may bring the student before a hearing officer and panel to determine whether the student poses a clear and present danger of repeated or continued violation of rule 3335-11-02 of the Administrative Code. If the panel finds that such a danger exists, it shall recommend that the student's continued enrollment be dependent on the imposition of strict disciplinary probation, under such terms and conditions as the hearing officer may specify (except that the student may not be deprived of university scholarship, loan, grant-in-aid, or employment).
- (B) The term of probation shall last until such time as the hearing officer finds that the danger no longer exists. This finding may be initiated by the officer or upon petition by the student.
- (C) If a probation violation is alleged to have occurred, the student will be subject to an immediate hearing before a hearing officer. If found in violation of probation, the student will be temporarily suspended or dismissed from the university pending a full hearing.

(Board approval dates: 5/1/1986, 7/11/1986)

### **Activities**

#### **3335-11-03 Organized activities.**

- (A) The vice president for student life shall promulgate regulations governing all organized activities which are university connected and in which students or the spouses of students participate.
- (B) These regulations shall include a requirement that each registered organization shall have an adviser, selected by the student organization from members of the faculty or administrative and professional staff. In accepting responsibility the adviser agrees to maintain contact with the organization so as to be familiar with its program and personnel. In addition, the adviser shall be responsible for advising the organization as to its program and personnel, having in mind not only the objectives of the particular group but also the purposes of the university, one of which is to foster a spirit of free inquiry in a setting which provides for open-minded, objective, and critical evaluation of the ideas expressed.

(Board approval dates: 5/14/2010, 6/6/2014)

#### **3335-11-04 Eligibility of students.**

- (A) The vice president for student life shall promulgate regulations governing the eligibility of students for participation in all organized activities. (See rule 3335-11-03 of the Administrative Code.)
- (B) Participation in activities as a part of regular course work shall not be construed as participation in an organized activity for the purpose of rule 3335-11-03 or 3335-11-04 of the Administrative Code.

(Board approval date: 5/14/2010)

#### **3335-11-05 Promulgation of regulations.**

Before promulgating the regulations authorized under rules 3335-11-03 and 3335-11-04 of the Administrative Code and before amending such regulations after they have been promulgated, the vice president for student life shall obtain the recommendation of the council on student affairs. (See rule 3335-5-48.4 of the Administrative Code.)

(Board approval dates: 6/1/2001, 5/14/2010)

**3335-11-06 Student use of university facilities.**

- (A) University facilities including outdoor space assigned to a student organization shall be used only for the usual activities of such student organizations. If a student organization desires to use such facilities for purposes other than its usual activities, it shall request permission for such use from the office of student activities.
- (B) No student, group of students, or registered student organization may announce an activity involving the use of university facilities including outdoor space or may use such facilities for an activity, unless such use has first been approved and scheduled first by the office of student activities, or other office in charge of scheduling for that particular building, as delegated by the office of the university registrar in accordance with rule 3335-13-03 of the Administrative Code.

(Board approval date: 7/8/2005)

**The Ohio Union****3335-11-07 Purpose.**

The Ohio union exists for the primary purpose of serving students in their cultural, social, recreational, and leadership activities. The Ohio union is also established to serve the faculty, staff, alumni, and guests of the university.

(Board approval dates: 9/7/1959, 7/11/1975, 4/2/1996, 6/29/2001)

**3335-11-08 Director.**

The director shall be the chief administrator of the Ohio union. The director shall have the general administrative responsibility for the programs and financial affairs of the union. The director shall be responsible to an assistant vice president for student life and report annually to the council on student affairs.

(Board approval dates: 9/7/1959, 12/3/1971, 7/11/1975, 7/12/1991, 4/2/1996, 6/29/2001, 5/14/2010)

**3335-11-09 The Ohio union council.**

- (A) The Ohio union council shall consist of eighteen voting members, with service beginning summer term, chosen as follows:
  - (1) Ten students.
    - (a) Two graduate students selected by the council of graduate students. Term of service shall be alternating two year terms.
    - (b) Two professional students selected by the inter-professional council. Term of service shall be alternating two year terms.
    - (c) Four undergraduate students selected by the undergraduate student government. One student must come from a registered student organization without an office in the Ohio union. Term of service shall be alternating two year terms.



(d) One undergraduate student employees of the Ohio union appointed by the undergraduate student government in consultation with the director(s) of the Ohio union. Term of service shall be one year.

(e) One graduate assistant from the Ohio union, appointed by the council of graduate students in consultation with the director(s) of the Ohio union. Term of service shall be one year.

(2) Two faculty.

Two faculty members, as defined in Faculty Rule 3335-5-19 of the Administrative Code selected by the chair of the faculty council in consultation with the chair of the council on student affairs. Term of service shall be alternating two year terms.

(3) One staff member.

One staff member shall be appointed by the university staff advisory committee. Term of service shall be two years.

(4) One alumni member.

One alumni members shall be appointed by the Ohio state alumni association in consultation with the council. Term of service shall be one year.

(5) Four at-large.

Four at-large members shall be selected under procedures established and documented by the council. Term of service shall be one year.

(6) Ex-officio non-voting members.

(a) The president of the Ohio union activities board ex-officio non-voting, or designee.

(b) The chair of the council on student affairs, ex-officio non-voting, or designee.

(c) All director(s) of the Ohio union shall be an ex-officio, non-voting member(s) of the council.

(d) A representative of the business and finance office for the Ohio union shall be an ex-officio, non-voting member of the council.

(e) One non-voting student life staff member to act as the secretary for the council appointed by the director of the Ohio union. Term of service is one year.

(7) Reappointment.

All voting members with one year terms are eligible for reappointment three times. All voting members with two year terms are eligible for reappointment once. No individuals holding a voting position shall serve for more than four consecutive years.

(8) Alternates.

Members of the Ohio union council may have an alternate. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the

event of the member's absence. Ohio union council shall establish rules governing the selection of alternates.

(B) Duties and responsibilities.

- (1) Establish general policy on such matters as, but not limited to, financial planning, facility use, student development, public and campus relations. These policies shall guide the administration of the program of the union by the director of the union, but the council shall not serve in an administrative capacity.
- (2) Advise the director(s) of the Ohio union regarding the programs, services, and activities of the Ohio union.
- (3) Establish committees as needed to explore issues affecting the Ohio union.
- (4) Perform duties as assigned by the council on student affairs.
- (5) Report monthly to the council on student affairs.
- (6) Establish, amend, and maintain operating procedures to conduct, in an orderly fashion, the functions of the council.

(C) Organization.

The chair shall be elected from among the incoming and continuing student members of the council during the last regularly scheduled meeting of spring term. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary.

(Board approval dates: 9/7/1959, 2/9/1967, 11/9/1967, 12/3/1971, 7/11/1975, 7/20/1979, 2/7/1986, 11/2/1990, 7/12/1991, 4/2/1996, 4/3/1998, 6/29/2001, 3/3/2006, 6/5/2009, 6/22/2012, 6/6/2014)

**3335-11-10 University recreational sports committee.**

(A) The university recreational sports committee shall consist of nineteen voting members, with service beginning summer term, chosen as follows:

- (1) Eleven students.
  - (a) Two graduate students selected by the council of graduate students. Term of service shall be alternating two year terms.
  - (b) Two professional students selected by the inter-professional council. Term of service shall be alternating two year terms.
  - (c) Four undergraduate students selected by the undergraduate student government. One student must participate in a department recognized club sport at the time of appointment. Term of service shall be alternating two year terms.
  - (d) One undergraduate student employee of the department of recreational sports appointed by the undergraduate student government in consultation with the director of recreational sports. Term of service shall be one year.



- (e) One graduate assistant from the department of recreational sports, appointed by the council of graduate students in consultation with the director of recreational sports. Term of service shall be one year.
  - (f) One undergraduate student selected by the director of the sport and wellness scholars program. Term of service shall be one year.
- (2) Two faculty.
  - (a) Two faculty members, as defined in Faculty Rule 335-5-19 of the Administrative Code, selected by the chair of the faculty council in consultation with the chair of the council on student affairs. Term of service shall be alternating two year terms.
- (3) One staff member.
  - (a) One staff member shall be appointed by the university staff advisory committee. Term of service shall be two years.
- (4) One alumni member.
  - (a) One alumni member shall be appointed by the Ohio state alumni association in consultation with the committee. Term of service shall be one year.
- (5) Four at-large.
  - (a) Four at-large members shall be selected under procedures established and documented by the committee. Term of service shall be one year.
- (6) Ex-officio non-voting members
  - (a) The director of recreational sports shall be an ex-officio, non-voting member of the committee.
  - (b) A representative of the business and finance office for recreational sports shall be an ex-officio, non-voting member of the committee.
  - (c) One non-voting student life staff member to act as the secretary for the committee appointed by the director of recreational sports. Term of service is one year.
  - (d) The associate vice president for the department of facilities operations and development, or designee, shall be an ex-officio, non-voting member of the committee.
  - (e) The director of the department of athletics, or designee, shall be an ex-officio, non-voting member of the committee.
  - (f) The director of the school of physical activity and educational services, or designee, shall be an ex-officio, non-voting member of the committee.
  - (g) The director of the student wellness center, or designee, shall be an ex-officio, non-voting member of the committee.
  - (h) The chair of the council on student affairs, ex-officio non-voting, or designee.



(7) Reappointment.

All voting members with one year terms are eligible for reappointment three times. All voting members with two year terms are eligible for reappointment once. No individuals holding a voting position shall serve for more than four consecutive years.

(8) Alternates.

Members of the university recreational sports committee may have an alternate. The chair has responsibility for recording correct voting status. If the member has voting status, the alternate may vote in the event of the member's absence. University recreational sports committee shall establish rules governing the selection of alternates.

(B) Duties and responsibilities.

- (1) Initiate recommendations and review proposals with regard to policies that may affect the recreational sports facilities and programs.
- (2) Make recommendations to the director of recreational sports regarding the usage priority for recreational sports facilities, co-operative recreational sports ventures, and renovation of existing or construction of new recreational sports facilities.
- (3) Collect feedback on recreational sports issues in order to evaluate the quality of recreational sports facilities maintenance, daily operations, and programs, recommending changes as appropriate.
- (4) Annually review and make recommendations regarding the long-term maintenance plan for recreational sports facilities.
- (5) Review all budgets and expenditures of the department of recreational sports and the appropriate portions of budgets and expenditures of all general funds, student life funds, college of education and human ecology funds, and department of athletics funds that contribute to recreational facilities operations and programs.
- (6) Deciding the future of the RPAC construction debt service portion of the student recreation fee once the debt service has been retired. Review and make recommendations regarding the annual budget of the department of recreational sports, approve other ancillary student recreational fees, and make recommendations to the vice president of student life annually regarding the student recreational sports fee.
- (7) Make recommendations for non-recreational sports use of space, including but not limited to space rental fees.
- (8) Serve as a channel of communication for information regarding recreational sports among the office of business and finance, the department of physical facilities, the college of education and human ecology, the school of physical activity and educational services, the department of athletics, the council on student affairs, the athletic council, the undergraduate student government, the council of graduate students, the inter-professional council, faculty council, and the university staff advisory committee.
- (9) Report monthly to the council on student affairs.

- (10) Establish, amend, and maintain operating procedures to conduct, in an orderly fashion, the functions of the committee.

(C) Organization.

The chair shall be elected from among the incoming and continuing student members of the committee during the last regularly scheduled meeting of spring term. For purposes of this election, all incoming and continuing members shall be eligible to vote; incoming and continuing members may choose alternates if necessary.

(D) Oversight.

Decisions made by the university recreational sports committee are subject to review and approval of the council on student affairs.

(Board approval dates: 7/11/2003, 12/5/2003, 7/7/2006, 5/14/2010, 6/22/2012, 6/06/2014)

## **Chapter 3335-13 University Property**

### **Restrictions**

#### **3335-13-01 Drives and canvassing.**

- (A) Canvassing or solicitation for funds, sales, or subscriptions are prohibited on university campuses or in university buildings unless written permission therefor shall first have been granted by the office of the university registrar which may seek recommendation regarding requests for permission from appropriate university offices.
- (B) The sale of merchandise of any kind whatsoever, or publications or services upon university property, other than by the regularly authorized stores, restaurants, departments or divisions of the university, is likewise prohibited except upon written permission of the office of the university registrar which may seek recommendation regarding requests for permission from appropriate university offices. The responsibility and authority of the office of the university registrar under this rule may be delegated by it to a member of the faculty or staff.
- (C) Any persons violating this rule shall be subject, upon proper notice, to eviction from university property or arrest.

(Prior effective date: 3/13/1978; Board approval dates: 2/1/1980, 2/3/1984, 6/6/2014)

#### **3335-13-02 Smoking - tobacco.**

The prohibition of the smoking of tobacco within university facilities designated as "No Smoking" areas by the authority delegated by the director of administrative services of the state of Ohio has been established to protect the comfort and health of persons who do not smoke or to whom such smoke is objectionable. Further, the smoking of tobacco in such designated areas is a violation of section 3791.031 of the Revised Code, and all violators are subject to prosecution.

#### **3335-13-03 University facilities.**

- (A) University facilities may be scheduled and used only if the meeting is sponsored by at least one of the following: the university; an administrative unit of the university; the president or a member of



their staff; a member of the university faculty; a club or committee of faculty members, staff members, or their spouses; or a recognized student organization (see rule 3335-11-03 of the Administrative Code).

- (B) The office of the university registrar shall be responsible for the scheduling of and shall have the necessary authority to schedule all university facilities. No meeting shall be scheduled in or announced for any university facility unless permission to use the facility has been obtained in advance from the office of the university registrar. All requests for the use of university facilities shall indicate the nature of the proposed meeting. If the proposed meeting is one to which a guest speaker is to be invited, the request for the use of university facilities shall indicate the name of the guest speaker and shall be submitted to the office of the university registrar at least two weeks prior to the date the meeting is to be held, but such two-week period may be waived by the office of the university registrar if the exigencies of the situation so require and the orderly scheduling of university facilities would not be unduly prejudiced (see rule 3335-5-06 of the Administrative Code).
- (C) The word "meeting" as used in rules 3335-5-06, 3335-11-06, and 3335-13-03 of the Administrative Code means any meeting using university facilities to which the faculty, staff, students or public is invited, except regularly scheduled university courses, conferences approved under university procedures, and meetings of state, regional, national or international organizations approved under university procedures.
- (D) The responsibility and authority of the office of the university registrar under this rule may be delegated by it to a member of the faculty or of the staff of this university.

(Board approval dates: 10/12/1962, 9/14/1965, 12/3/1971, 2/3/1984, 5/3/1996, 6/6/2014)

#### **3335-13-04 Duplication of keys or other access devices.**

Except as specifically authorized by the president, their designee, or a university official authorized to make decisions regarding the issuance of university keys or other access devices, no person shall knowingly make or cause to be made any key or other access device for any building, laboratory, facility, or room of the university.

(Board approval date: 4/12/1963, 4/6/2018)

#### **3335-13-05 Control of dogs and other animals.**

- (A) No person shall permit a dog or other animal under their ownership or control upon the grounds of the university unless it is on a leash or harness not more than six feet in length and under the owner or handler's personal control, unless otherwise permitted to do so by the university. A dog or other animal that is leashed or harnessed but unattended is not under the personal control of its owner or keeper.
- (B) No person shall permit a dog or other animal under their ownership or control to enter any university building or housing, except for service animals, therapy animals, support animals, and/or any other type of animal approved by the university to accompany individuals in such areas provided that the person complies with any restrictions or limitations set by the university and such animal remains under the personal control of its owner or handler in accordance with paragraph (A) of this rule. This rule shall not, however, prevent persons from bringing animals into university buildings for approved research purposes or for observation or care by university veterinary personnel.
- (C) Any dog or other animal found upon the grounds of the university or in any university building, except as permitted pursuant to the provisions of paragraphs (A) and (B) of this rule, may be taken into

custody by university authorities. University authorities may, in their discretion, turn the dog or other animal over to appropriate county or municipal authorities for delivery to the custody of the humane society or other animal shelter. In such an event, the owner or handler must contact the entity to which the animal was delivered to recover the animal in accordance with that entity's rules. The university may further require the owner or handler of such a dog or other animal to reimburse the university for costs incurred in impounding the dog or other animal and turning it over to the control and custody of county or municipal authorities.

(Board approval dates: 7/31/1969, 9/2/1971, 9/10/1976, 8/29/2001, 4/6/2018)

### **Intellectual Property Rights**

#### **3335-13-06 Rights to and interests in intellectual property, patents, and copyrights.**

The university shall have a policy or policies on intellectual property, patents, and copyrights (hereinafter referred to as "the policy").

- (A) The intellectual properties, patents and copyrights committee of the university senate shall maintain the policy. Specifically, the committee shall review all proposed changes to the policy, and shall also have the power to initiate its own proposed changes to the policy. The chair of the committee shall also be designated as a member of the policy writing group for any revisions to the policy. Revisions shall be promulgated through the university policy process and then recommended to faculty council and the university senate. All substantive revisions to the policy must be approved by the faculty council and the university senate, in addition to the other approvals required by the university policy process. Revisions that are clearly non-substantive and of a technical nature, such as typographical errors, changes in grammar, format, title of administrative and academic units and executives, and cross- references, can be approved solely by the university's director of policy, the vice president responsible for the operation of the technology commercialization office, and the intellectual property, patents and copyrights committee.
  - (1) Membership, duties, and organization of the intellectual property, patents and copyrights committee shall be in accordance with rule 3335-5-48.19 of the Administrative Code.
  - (2) The policy on intellectual property, patents, and copyrights shall include specific procedures for appeals to the intellectual property, patents and copyrights committee.
- (B) The board of trustees deems it in the best interest of the university, its faculty, staff, and students, and in the interest of the promotion of research and development to provide for participation by faculty, staff, and students in the proceeds from intellectual property conceived or developed by them as determined by the policy. The term "intellectual property" shall be defined in the policy.
- (C) The university recognizes that copyright protections are fundamental to the academic mission, and that traditional scholarly and artistic intellectual works created by faculty, staff, and students generally belong to those individual creators. There are, however, instances defined in the policy in which specific rights, titles, and/or interests in copyrightable works created by faculty, staff, and students may vest in whole or in part in the university or other entities. As such, the policy shall establish the ownership of all rights, titles, and interests for copyrightable works created by faculty, staff, and students. The technical meaning of "copyrightable works" shall be defined in the policy.
- (D) The policy shall be implemented under the direction of the president of the university or their designees, as determined by the policy.

(Board approval dates: 4/12/1963, 5/8/1969, 10/4/1985, 4/4/1986, 11/2/1990, 4/4/1997, 12/4/1998, 5/7/2004, 6/6/2014, 4/7/2017, 5/18/2023)

**3335-13-07 Rules governing employee and student participation in companies commercializing intellectual property in which the university or a university affiliate has an interest.**

(A) General Information.

- (1) In order to translate innovations into useful products and services, universities must engage with various outside entities in the commercialization process. Pursuant to Ohio Revised Code 3345.14, the university board of trustees has determined that the interests of the university will be served if employees – including faculty and staff – and students are afforded the opportunity to hold personal financial interests in university technology commercialization companies.
- (2) This rule enables employees and students to realize the benefits of commercialization activities while protecting the integrity of the university's teaching, research, and creative expression.
- (3) Employees and students are encouraged to make or create intellectual property with commercial potential; however, they shall do so with due regard to the broader teaching, research, and creative expression of the university and in compliance with applicable university policies and state and federal laws.

(B) Applicability and Definitions.

- (1) The university's interest in intellectual property made or created by its employees and students is determined in accordance with O.R.C. 3345.14, federal law, and the university Intellectual Property policy.
- (2) This rule shall apply to all employees and students who have a financial or fiduciary interest in or with an entity to which the university or a university affiliate has or intends to assignee, license, transfer, or sell its interest in intellectual property.
- (3) A university technology commercialization company (UTCC) is an entity: (i) in which a university employee or student has a financial interest or a fiduciary role, and (ii) that has received or is expected to receive an assignment, license, or transfer of an interest in intellectual property of the university or a university affiliate.
- (4) Financial interest includes any stock, bond, warrant, option, loan, or any other equity or debt interest in a UTCC, or promise of the same, as well as any paid consulting or employment with a UTCC. Amounts due to employees or students as proceeds distributable to creators pursuant to the university's Intellectual Property policy are excluded from the definition of financial interest for the purposes of this rule.
- (5) Fiduciary role includes serving as an officer or board member of the entity or in any other decision-making role or other position of trust or authority with the entity.
- (6) Participate in/participating in/participation in means having a financial interest in or fiduciary role with a UTCC.
- (7) Employee refers to all faculty, staff, student employees, graduate associates, and postdoctoral researchers.

(C) Scope and Relation to the Ohio Ethics Law.

- (1) This rule creates an exception to chapter 102.03 and 102.04 and sections 2921.42 and 2921.43 of the Revised Code (collectively, the “Ohio ethics laws”). Among other things, these laws prohibit public officials from having an interest in the profits or benefits of a public contract entered into by or for the use of the governmental unit with which the employee is connected, or from soliciting or accepting anything of value that is of such character as to manifest a substantial and improper influence upon the employee with respect to the performance of the employee’s duties.
  - (2) Compliance with this rule will provide an employee or student who acquires a financial interest in or a fiduciary role with a UTCC with an exemption from these and other potentially applicable provisions of the Ohio ethics laws.
  - (3) A failure to comply with this rule could result in a violation of the Ohio ethics laws, which may involve criminal penalties.
  - (4) Employees and students whose financial and fiduciary interest in an organization is limited to owning less than 5% equity in the company, may, but are not required to seek TTOC approval.
- (D) Administration.
- (1) Employees and students participating in UTCCs shall follow all applicable university policies.
  - (2) Employee and student participation in UTCCs must be approved by the Technology Transfer Oversight Committee (TTOC) in order for this Rule to apply.
    - a. Approval of participation in a UTCC will require, at minimum:
      - i. Documented pre-approval and disclosure of the employee’s or student’s outside work or relationship with the UTCC;
      - ii. A conflict management plan addressing the employee’s or student’s proposed participation in the UTCC.
    - b. Each agreement between the university and the UTCC, excluding any agreement between a university affiliate and the UTCC whereby its interest in intellectual property is assigned, licensed, transferred, or sold, requires written TTOC approval. At the discretion of the TTOC, institutional agreements that contemplate numerous university purchases may not require approval for each purchase under the agreement.
  - (3) Supervisors, tenure initiating unit heads, and unit leaders are responsible for monitoring employees’ and students’ compliance with all applicable university policies and conflict management plans.
  - (4) Employees and students who wish to participate in a UTCC shall not be involved with any negotiations between the company and the university or a university affiliate.
  - (5) Supervisors, tenure initiating unit heads, or unit leaders must be actively involved in the development of the conflict management plan(s) relating to a UTCC.
  - (6) If a supervisor, tenure initiating unit head, or unit leader has a financial interest or is otherwise participating in the UTCC, another administrator more senior to the conflicted individual must be appointed to perform the responsibilities of the supervisor, tenure initiating unit head, or unit leader.
  - (7) If the TTOC determines that a transaction involving a UTCC is not in the best interest of the university, the transaction shall not be approved.

- (8) Employees and students may choose to not seek TTOC approval for their participation in a UTCC; however, the exception provided in (C) 1 and 2 of this Rule will not apply without TTOC approval and their participation will be subject to applicable laws and university policies.

(E) Responsibilities to the university.

- (1) Faculty should not allow their financial interests in a UTCC to adversely influence their teaching, or to interfere with their relationships with other faculty. In particular, research assignments for students should be based on the students' interests and academic development. While faculty are permitted by university policy and this rule to engage in authorized private business activities relating to their university positions, they continue to be responsible for the performance of all of their university teaching, research, and service obligations.
- (2) Staff may engage in activities relating to a UTCC during regularly assigned working hours only if they take approved leave or document flexible schedule arrangements with their supervisor. Staff may pursue only those research projects that will advance the missions of the university and the employing unit, without regard to the financial interests of individual employees, and that are authorized by their supervisor, tenure initiating unit head, or unit leader.
- (3) Student employees may not engage in activities relating to a UTCC during regularly assigned working hours.
- (4) Faculty, staff, and students participating in a UTCC are to at all times clearly represent whether they are acting in their university or UTCC role when conducting professional activities.

(F) Conflict of interest management standards.

- (1) University facilities, equipment and other resources may be used for the benefit of a UTCC pursuant only to a sponsored research agreement, facilities use agreement, or other appropriate contractual arrangement.
- (2) The conflict management plan may describe the employee's contemplated initial equity interest, debt participation, and/or fiduciary role in the UTCC and provide enforceable milestones for reduction of that interest, participation, and/or role.
- (3) Faculty shall not allow their activities with UTCCs to consume a disproportionate amount of their professional attention. Faculty engaged in approved outside activities who are unable to perform all of their university responsibilities must reduce those outside activities or request a reduction of appointment or other approved leave in accordance with university policies. Faculty professional leave should be authorized in accordance with other university policies (e.g. Faculty Professional Leave).
- (4) Staff who are unable to perform all of their university duties because of activities in connection with UTCCs must reduce those outside activities or request a reduction of appointment or other approved leave in accordance with university policies.
- (5) Research benefiting a UTCC may not be used to satisfy the criteria for a thesis or dissertation if the material is restricted from publication. Faculty must inform the student in writing of any such publication restriction prior to the start of the student's research.
- (6) A student may not be employed by or participate in a UTCC in which a faculty member participates if the faculty member has a university supervisory, teaching, evaluation, advising, coaching, or counseling relationship with the student.

- (7) Students may be employed by a UTCC, subject to the limitation set forth in paragraph (F)(5) of this rule.
- (8) University regulatory review boards including, for example, the institutional review board and the institutional animal care and use committee, may be used for research benefiting a UTCC pursuant to a sponsored research agreement or another arrangement approved by the TTOC, and any other university policies.
- (9) Employees may not be the principal investigator in sponsored research projects funded by UTCCs in which they participate if the projects involve approval by the institutional review board or if the projects include veterinary clinical trials involving the use of animals unless provided for by other university policies. For sponsored research not requiring institutional review board or institutional animal care and use committee oversight, faculty or staff may assume the role of principal investigator if a formal conflict management plan approved by the TTOC and the Conflicts Approval Committee is in place.
- (10) Agreements for sponsored research projects funded by UTCCs must include, at a minimum, a requirement for full university publication rights and full cost recovery, unless otherwise approved in writing by the Vice President for Research.
- (11) Employees participating in UTCCs approved pursuant to this rule continue to be bound by the university's Intellectual Property policy and all other applicable university policies.
- (12) New intellectual property made or created by faculty or staff who have received TTOC approval for their participation in a UTCC will be owned by the university or university affiliate, unless the TTOC determines otherwise in view of O.R.C. 3345.14, federal law, and the university's Intellectual Property policy. New intellectual property made or created by faculty or staff who choose to not seek TTOC approval for their participation in a UTCC will be governed by state and federal law and the university's Intellectual Property Policy and not this Rule. New inventions and/or discoveries developed by the faculty, staff member or student for the company must be disclosed to the technology commercialization office as required by the university's Intellectual Property policy.

(Board approval dates: 4/6/2001, 6/29/2001, 6/3/2016, 11/17/2022)

### **3335-13-08 Research misconduct.**

The university shall have a policy on research misconduct ("the policy") issued and maintained by the university research committee. "research misconduct" means fabrication, falsification or plagiarism in proposing, performing, or reviewing research, or in reporting research results. Research misconduct does not include honest error or differences of opinion.

#### **(A) Objectives.**

- (1) The policy shall aim to protect both the integrity and the reputation of research and scholarship produced by members of the university community.
- (2) The policy shall aim to protect the integrity and reputation of the university and its scholars from false or unproven allegations of research misconduct. For this reason, the university assumes that a person accused of research misconduct is innocent of any allegations until the contrary has been established by a final decision reached under the policy and the

applicable disciplinary rules or procedures. The procedures undertaken pursuant to the policy are intended to be investigatory, not adversarial.

(B) Jurisdiction.

- (1) The policy shall apply to all university personnel who may be involved with research activities, including faculty members, staff, students, research associates and fellows, post-doctoral fellows, and other research trainees.
- (2) The policy shall therefore apply to all research and scholarship conducted within the University community, irrespective of the funding source, if any, which supports the research or scholarship.
- (3) The terms “research” and “scholarship” shall be broadly construed, including activities ranging from scientific experimentation to artistic expression to research and scholarship in the humanities.
- (4) All persons to whom the policy applies, including those accused of research misconduct, have a duty to cooperate with all proceedings under the policy as well as any subsequent investigations. Such cooperation shall include providing research records and other relevant information to the vice president for research and/or their designee.

(C) Confidentiality.

To the extent possible within the law and in accordance with the need to conduct a thorough inquiry, all participants in the actions initiated pursuant to the policy shall keep confidential all information regarding allegations and proceedings until the university process, including any disciplinary action, has concluded and all avenues of appeal under the university rules (if pursued) have been exhausted. The vice president for research shall be the university official responsible for determining when a release of information is necessary or appropriate.

(D) Administration of the policy.

- (1) The vice president for research shall be responsible for disseminating the policy to the research community and handling all allegations of research misconduct. In order to foster broad familiarity with the policy, as well as its flexibility regarding changing standards external to the university, the full policy document shall be publicized by the office of academic affairs, the graduate school, the office of human resources, the office of research, the university research committee, the office of undergraduate research, and the university senate.
- (2) The vice president for research shall designate a coordinator to assist in administering the policy. The person appointed as coordinator shall not be university counsel acting in that capacity, but shall consult with university counsel to ensure that the requirements of the law and university policy are being satisfied.

(E) Administrative Actions.

The vice president for research may, during proceedings under the policy or any subsequent investigation, take whatever administrative actions that are in their judgment needed to ensure the integrity of the investigation and to protect research funds or equipment or the legitimate interest of patients or clients.

(F) Definitions.



The key terms for the policy shall be defined in the policy document.

(G) Procedures.

- (1) The policy shall describe procedures pertaining, but not limited to: assessing whether an allegation has been made in good faith and has merits; investigating pursuant to such findings; the role of administrators and other individuals in the process; the time line for such investigations; protecting data; reporting to sponsors and clients; and sanctions.
- (2) A finding of research misconduct requires that:
  - (a) There be a significant departure from accepted practices of the relevant research community;
  - (b) The misconduct be committed intentionally, knowingly, or recklessly; and
  - (c) The allegation be proved by a preponderance of the evidence.

#### **Chapter 3335-15 Miscellaneous Provisions**

##### **3335-15-01 The university.**

Unless specifically noted, the phrases "the university" and "this university" refer to the basic organization of the educational units of the university as defined by rule 3335-1-05 of the Administrative Code.

#### **Recommendations to board of trustees regarding amendment of rules, regulations and bylaws**

##### **3335-15-02 Power to promulgate rules and regulations.**

Rules and regulations for the administration and operation of the university may be promulgated, amended, and repealed by the board of trustees upon its own initiative or upon the recommendation of the university faculty or the university senate.

##### **3335-15-03 Authorization to recommend amendment or repeal of rules and regulations.**

- (A) The university faculty (either directly or through the university senate) is authorized to recommend through the president to the board of trustees the adoption of detailed rules and regulations for the university faculty. If adopted, these rules shall be called "Rules of the University Faculty" and shall be amended or repealed under the procedures outlined in the "Bylaws of the Board of Trustees."
- (B) The university faculty (either directly or through the university senate) is also authorized to make recommendations through the president to the board of trustees concerning the promulgation, amendment or repeal of the other rules and regulations for the university.

##### **3335-15-04 Authorization to recommend amendment or repeal of "Bylaws of the Board of Trustees."**

The university faculty or the university senate is authorized to make recommendations through the president to the board of trustees concerning the amendment or repeal of the "Bylaws of the Board of Trustees."



**Chapter 3335-17 Election Bylaws of the University Senate**  
(Authorized in rule 3335-5-39 of the Administrative Code)

**3335-17-01 Administration members.**

The twenty-four members from the administration shall consist of the university president, the executive vice president and provost, the senior vice president for business and finance, the vice president for research, the senior vice president of student life, the deans of the fifteen colleges, one dean from the regional campuses for a two-year term as selected by the council of deans, the dean of the graduate school, the dean for undergraduate education and the dean of libraries.

Senate revision date: 4/14/2005, 4/18/2019

(Board approval dates: 5/7/2004, 5/6/2005, 2/11/2011, 5/31/2019, 11/21/2019, 5/19/2022)

**3335-17-02 Elections.**

The faculty, staff, professional student, graduate student, and undergraduate student members and alternates of the university senate shall be chosen in the manner prescribed by the appropriate constituency as defined in rule 3335-17-03 of the Administrative Code. All terms of service shall begin in the autumn semester following election.

Senate revision dates: 9/29/1984, 12/2/1989, 4/18/2019

(Board approval dates: 5/31/2019)

**3335-17-03 Administration and supervision of elections.**

The primary responsibility for administering and supervising senate elections shall reside with the faculty council, for the election of faculty members of the senate; council of graduate students, for the election of graduate student members; inter-professional council, for the election of professional student members; undergraduate student government, for the election of undergraduate student members; and university staff advisory committee, for the election of non-bargaining staff members. Each group shall:

- (A) Propose procedures and regulations for nominations and elections, consistent with these bylaws; the nomination procedure shall include the opportunity for direct nominations by an appropriate number of electors eligible to vote in an election for the office in question.
- (B) Report the results of elections in its constituencies to the senate secretary for certification of senate members. Faculty elections will begin the second week of January and results are to be submitted by the first of March; other constituencies by the fifteenth of May.
- (C) Take action to ensure that the time and manner of nominations and elections are well publicized so as to provide reasonable notice to those eligible to participate. Any notices referring to the university senate elections shall be conspicuously designated as such.

Senate revision dates: 6/2/1979, 3/8/1980, 12/2/1989, 4/18/2019

(Board approval dates: 5/31/2019)

**3335-17-04 Apportionment of faculty members.**



- (A) Seventy-one faculty members shall be apportioned as follows: at least one to represent each of the following faculty constituencies:

College of arts and sciences: division of  
arts and humanities  
College of arts and sciences: division of  
natural and mathematical sciences  
College of arts and sciences: division of  
social and behavioral sciences  
College of food, agricultural, and  
environmental sciences  
The Max M. Fisher college of business  
College of dentistry  
College of education and human ecology  
College of engineering  
The Michael E. Moritz college of law  
College of medicine  
College of nursing

College of optometry  
College of pharmacy  
The John Glenn college of public affairs  
College of public health  
College of social work  
College of veterinary medicine  
OSU Lima campus  
OSU Mansfield Campus  
OSU Marion Campus  
OSU Newark Campus  
University libraries  
Departments of military science, naval  
science, and air force aerospace  
studies

- (B) The other faculty members shall be apportioned among the faculty constituencies, such that no more than ten per cent of the total faculty membership of the senate shall be assigned to any one unit listed in paragraph (A) of this rule. The schedule for apportionment shall be reviewed annually and derived from the distribution of tenure-track faculty and shall be proposed by the executive committee of the faculty council and approved by the faculty council.
- (C) For the purpose of voting in a senate election, the eligible faculty shall be tenure-track faculty and such clinical/teaching/practice track faculty as are authorized for senate service pursuant to rule 3335-7-11 of the Administrative Code. They shall vote only in the election of members from the college or unit in which they hold their primary appoint.

Senate revision dates: 12/3/1983, 9/29/1984, 12/2/1989, 4/6/1991, 4/6/1996, 5/13/2004, 4/18/2019

(Board approval dates: 6/4/2004, 12/2/2005, 7/7/2006, 6/6/2008, 6/6/2014, 5/31/2019)

#### **3335-17-07.5 Apportionment of staff members.**

(A) Five staff members from different campus units shall be selected by the university staff advisory council in accordance with its bylaws.

(B) Non-bargaining unit staff members will be eligible to apply for selection to the five senate positions.

Senate adoption date: 4/18/2019

(Board approval dates: 5/31/2019)

#### **3335-17-05 Apportionment of graduate student members.**

(A) Ten graduate student members shall be elected by the council of graduate students in accordance with its bylaws so as to ensure a diverse representation of graduate programs.

(B) For the purpose of voting for the graduate student delegation to the university senate, each graduate student elector shall be a delegate in the council of graduate students.

(Board approval date: 12/5/2003)

**3335-17-06 Apportionment of professional student members.**

- (A) Five professional student members shall be elected by the inter-professional council senate in accordance with its bylaws so as to ensure a diverse representation of professional colleges.
- (B) For the purpose of voting for the professional student delegation to the university senate, each professional student elector shall be a senator in the inter-professional council.

(Board approval date: 12/5/2003)

**3335-17-07 Apportionment of undergraduate student members.**

- (A) Twenty-six undergraduate student members shall be elected by the undergraduate student government senate in accordance with its bylaws so as to ensure a diverse representation of student interests.
- (B) For the purpose of voting for the undergraduate student delegation to the university senate, each undergraduate student elector shall be a senator in the undergraduate student government senate.

Senate revision dates: 10/25/1980, 6/2/1984, 12/1/1990, 4/6/1996, 3/6/1999, 3/14/2002

(Board approval date: 12/5/2003)

**3335-17-08 Qualifications for membership.**

- (A) To be eligible for service as members of the university senate:
  - (1) Faculty members shall be on the roster of the tenure-track faculty, or on the roster of a college or unit's clinical/teaching/practice track faculty who are authorized for senate service pursuant to rule 3335-7-11 of the Administrative Code, and available for senate service autumn and spring semesters during their elected terms.
  - (2) Staff members shall be on the roster of a college or unit and available for senate service autumn and spring semesters of their elected terms.
  - (3) Graduate, professional and undergraduate student members shall be in good standing and enrolled each semester.
  - (4) Faculty, staff, professional and undergraduate student members shall, at all times including the time of election, be members of the constituency which they were elected to represent. The graduate student senators shall be deemed to represent all graduate students.
  - (5) Faculty or staff that assume an administrative title containing dean, provost or president during the academic year shall not continue to represent faculty or staff into the next academic year.
- (B) No person shall represent one constituency while serving as a representative of another.
- (C) The requirements for alternate members shall be the same as for members.

Senate adoption date: 6/4/1977; Senate revision dates: 4/29/1978, 2/9/1980, 1/26/1985, 5/13/2004, 4/18/2019

(Board approval dates: 6/4/2004, 6/6/2008, 6/6/2014, 5/31/2019)

### **3335-17-09 Amendments.**

- (A) Amendments to these election bylaws shall follow the procedures specified in rule 3335-5-43 of the Administrative Code.

Senate adoption date: 3/8/1986; Senate revision date: 4/6/1996

(Board approval date: 2/27/2020)

## **Chapter 3335-19 Bylaws of the University Senate** (Authorized in rule 3335-5-45 of the Administrative Code)

### **3335-19-01 Rules of order.**

Unless otherwise indicated, all meetings of the senate (throughout these bylaws the word "senate" shall be taken to mean the university senate) shall be conducted in accordance with the latest revision of "Robert's Rules of Order."

(Board approval dates: 3/13/1978, 7/30/2001, 8/1/2005)

### **3335-19-02 Meetings.**

- (A) Regular meetings of the senate shall be held during the autumn and spring semesters. In the spring semester each year the steering committee shall recommend and the senate shall adopt and publish the schedule of regular meetings for the following academic year. This schedule shall include at least seven meetings spread over the academic year. The scheduled shall make every effort to avoid meetings on days of major religious observances. Scheduled meetings may be cancelled by the steering committee when deemed appropriate.
- (B) Meetings of the senate shall be held in-person, virtually, or in a hybrid format. Acceptable means of virtual participation, such as teleconferencing or videoconferencing, must allow verification of identity and permit full participation in meetings.
- (C) Special meetings of the senate shall be scheduled upon:
1. Majority vote of senate members present and voting at any meeting, or
  2. Call of the president of the university, or
  3. Call of the steering committee, or
  4. Petition signed by at least twenty-five voting members of the senate and presented to the secretary of the university senate.
- (D) If the petition requesting a special meeting specifically requests a meeting at the earliest date and is transmitted with the necessary supporting material for distribution to the membership, then a special meeting shall be called within ten calendar days of receipt of the petition by the secretary of the university senate.

- (E) Written notice of the time and place of regular or special meetings, the order of business, and copies of any substantive proposals shall be sent to all members and alternate members at least five days prior to the senate meeting.
- (F) At a time of emergency the president shall have authority to call a special meeting without a five day advance notice.
- (G) All senate meetings shall be open to the public.

(Prior effective dates: 2/19/1988, 7/30/2001, 7/30/2010; Board approval dates: 6/22/2012, 6/6/2014, 2/27/2020, 2/10/2022, 5/18/2023)

### **3335-19-03 Agenda.**

- (A) Every meeting of the senate shall have an agenda. The agenda shall include the time and place of the meeting, order of business, and copies of any substantive proposals.
- (B) The steering committee shall establish the agenda for all regular senate meetings. For this purpose, the steering committee
  - (1) Shall receive through the university senate office proposals for senate action, or other reports and presentations to the senate from any committee of the senate, or university committee or council, or member of the senate, or any member of the university community.
  - (2) Shall, as necessary, refer all board and substantive proposals for senate action to appropriate committees for review prior to entering them in an agenda (see rule 3335-19-07(C)).
  - (3) Shall, as soon as practicable, include in the senate agenda of a regular meeting all germane items submitted to the steering committee through the university senate office.
    - (a) The steering chair shall, in consultation with appropriate members of the steering committee, make an initial evaluation of germaneness. Items deemed not germane will be returned to the submitter with a written explanation.
    - (b) If the item is re-submitted with the germaneness addressed, the item shall be placed on the steering agenda.
      - i. The steering committee shall evaluate the germaneness of the proposed business and whether it is fully developed. If the proposal is germane and fully developed, it shall be placed on the senate agenda.
      - ii. Any proposal deemed not germane for the senate by the steering committee shall be returned with a written explanation. Explanations shall indicate the appropriate constituent body, campus office, administrator, or entity where the issue can be more appropriately addressed.
      - iii. The steering committee shall work with proposers to ensure that proposals are developed sufficiently for senate deliberation and vote.
  - (4) Shall set the agenda so that the scheduled business can be disposed of in a meeting of reasonable duration. The senate holds regular meetings seven times during the course of the academic year.
  - (5) Shall include with each agenda an estimate of the time necessary to complete the regularly scheduled business of the senate.

- (6) Shall advise the senate regarding the need for a special meeting, when necessary to conduct time-sensitive business or when senate business exceeds the capacity of the regularly-scheduled meeting.
- (C) The secretary of the university senate shall send and make available electronically copies of the agenda for all senate meetings to all members and alternate members at least five calendar days prior to the meeting.

(Board approval dates: 3/13/1978, 11/28/1983, 2/19/1988, 1/7/2001, 7/30/2010, 4/6/2018, 5/18/2023)

#### **3335-19-04 Order of business.**

- (A) The order of business for all meetings shall be as set forth in the agenda, except that the order of business and allocation of time may be altered by an action approved in the meeting. Upon completion of the business described in the agenda, the regular meetings shall proceed in the following order:
  - (1) Unfinished business
  - (2) New business
  - (3) Comments and announcements
  - (4) Adjournment
- (B) A special meeting shall be limited to the purposes stated in its agenda.

(Board approval date: 3/13/1978)

#### **3335-19-05 Floor privileges.**

Proposals, measures, and resolutions shall be introduced on the senate floor by members of the senate only. Members of the university community who are not members of the senate may be granted the right to speak, but not to vote, on matters before the senate. When a request is made for this privilege, the presiding officer shall ask the senate for objections and, hearing none, shall grant permission to speak. If objections are raised, the privilege shall be extended only by an action of the senate.

(Board approval date: 3/13/1978)

#### **3335-19-06 Quorum and voting.**

- (A) A simple majority of the voting membership of the senate, whether attending in person or virtually, shall constitute a quorum for the conduct of the senate's business. The same quorum, a simple majority, shall be required of each committee of the senate.
- (B) Action by the senate shall be by vote of a majority of members present, except as otherwise required by these rules or by the latest revision of "Robert's Rules of Order."

(Board approval dates: 3/13/1978, 5/25/1991, 8/1/2005, 2/10/2022)

#### **3335-19-07 Proposals for senate action.**

- (A) Proposals for senate action shall be classified as either routine, board, or substantive, and treated accordingly.

- (B) Routine proposals are those that relate to Senate business, such as approval of the minutes or acceptance of reports or appointment of committee personnel, and include the call of a special meeting. Such proposals may be introduced and acted upon in any meeting, subject only to the test of germaneness.
- (C) Board proposals are those which establish or alter an academic program of study, or rules or bylaws within the senate's purview, and which must be approved by the Board of Trustees.
- (D) Substantive proposals are those which address matters of university policy or university-wide concern, such as the approval of university policies or centers, or of resolutions related to university business or activities. Substantive proposals do not require approval by the Board of Trustees.
- (E) Board and substantive proposals shall be:
  - (1) Submitted to the university senate office in the complete and exact form intended for senate debate and adoption, and shall be processed by the steering committee following rule 3335-19-03 of the Administrative Code, except that proposals for presentation at a special meeting need not be submitted to the steering committee. If a board or substantive proposal is referred to a committee by the steering committee or by the senate, and any subsequent suggested changes are not acceptable to the originators of the proposal, then the steering committee shall place the original proposal and the suggested changes in the same agenda.
  - (2) Sent to all members and alternate members of the senate as part of the agenda at least five calendar days prior to the meeting.
  - (3) Moved and seconded by members of the senate and then opened for floor debate. The proposal may then be amended, referred to committee in whole or in part, tabled, postponed, divided, and/or adopted or rejected.
    - (a) Amendments offered in floor debate are classified as minor or substantive. A substantive amendment alters the sense or strength of the original proposal. Determination of the status of an amendment is made by ruling of the presiding officer or by vote of the senate. Classification may be made at the time a motion to amend has been made and seconded or after the senate has voted affirmatively in favor of the motion to amend. If a motion from the floor is passed and is declared to be substantive, it cannot become effective until the next meeting of the senate. At that time it must be reconsidered, unless the committee which submitted the original proposal has requested a continuation from the steering committee. In case of a continuation, the steering committee shall, as soon as practicable, place the amendment on the agenda for reconsideration. The party that submitted the original proposal shall be afforded the opportunity to present arguments against the amendment or to move substitute language for the amendment at the time of reconsideration. If substitute language is approved by the senate, the amendment as modified will become effective at that time. If substitute language is defeated or is not presented, the senate shall vote on reaffirmation of the amendment in the form originally passed except for possible changes of a purely editorial nature. The amendment may be reaffirmed and become effective at that time or it may be defeated. (This section may be set aside by a successful motion to suspend the bylaws of the senate as prescribed in paragraph (C) of rule 3335-19-13 of the Administrative Code.)
- (F) Substitute statements or suggested amendments which are included in an original proposal and distributed in an agenda shall each be acted upon as a substantive proposal.

- (G) Substitute statements or suggested amendments proposed by any senate or university committee or by any member of the senate, shall be received by the steering committee and shall be scheduled in the same agenda as the original proposal.
- (H) Prior to a senate vote a proposal that establishes or alters rules or bylaws within the senate's purview shall be reviewed by the rules committee, which may recommend changes in accordance with paragraph (C)(4) of rule 3335-5-47.3 of the Administrative Code.

(Board approval dates: 3/13/1978, 2/6/1983, 1/15/1987, 5/3/1987, 7/30/2001, 7/30/2010, 2/10/2022, 5/18/2023)

#### **3335-19-08 Reports.**

- (A) Reports are items on which no senate action other than acceptance is requested. They may be distributed with the agenda and presented by the secretary of the university senate by reporting the title, source, and date of receipt. If an oral presentation of a written report is to be made at the senate meeting, such oral presentation shall be limited to a short summary of the written report and to responses to questions concerning the report from members of the senate.
- (B) Any committee of the senate may report to the senate on any matter before the committee. Written notification of intent to present a report shall be submitted to the university senate office, as specified in 3335-19-03(B), at least twelve calendar days preceding the senate meeting. The steering committee shall decide whether a written report is required to be included with the senate agenda mailing. Reports coming from a minority of committee members may be brought to senate through the senate office, as specified in 3335-19-03(B), or for time-sensitive reports, as new business. A majority of the members of the senate present and voting may require a standing committee to report at the next regular meeting of the senate.
- (C) Reports for which written versions are not required by the steering committee may be included on the senate agenda. The secretary of the university senate shall be provided with a written synopsis when the report is presented.

(Board approval dates: 3/13/1978, 11/28/1983, 7/30/2010, 5/18/2023)

#### **3335-19-09 Office of the university senate.**

There shall be a permanent office of the university senate, administered by the secretary of the university senate, to facilitate the orderly conduct of the meetings of the senate and the work of the committees of the senate. The office shall also be responsible for maintaining liaison between the senate and university committees. The staff shall consist of the secretary of the university senate and at least one full-time recording secretary.

(Board approval date: 3/13/1978)

#### **3335-19-10 Attendance.**

Members of the senate shall attempt to avoid conflicts between their academic schedule and the meetings of the senate and related committees. In the event of unavoidable conflict, it is expected the members will choose that resolution most favorable to their academic obligations. All members are expected to arrange for attendance by an alternate member at those senate meetings the member is unable to attend.

(Prior effective date: 3/13/1978; Board approval dates: 2/11/2011, 6/6/2014, 5/18/2023)

#### **3335-19-11 Minutes and reports of senate meetings.**



- (A) Official minutes of the senate meetings shall be taken and kept by the secretary of the university senate. A secretary's report of action taken at each meeting of the senate shall be sent to all members and alternate members after each meeting, and approved by senate action in a subsequent meeting.
- (B) The official record and minutes of all senate meetings shall be those "Secretary's Reports on Actions of the Senate," together with the appropriate supporting and reference documents, as have been submitted to and accepted by the senate. The secretary shall also have taken and have preserved, for reference purposes, verbatim electronic sound recordings of all proceedings in senate meetings.

(Board approval dates: 3/13/1978, 11/28/1983, 2/19/1988)

**3335-19-12 Transmittal and record of senate actions.**

- (A) The secretary of the university senate shall transmit the results of senate actions to the president, board of trustees, and other appropriate agencies.
- (B) The secretary shall maintain and periodically communicate to the members and alternate members of the senate and to the university faculty a record of those actions of the senate having continuing effect, and not published in the "Rules of the University Faculty."
  - (1) At least once each year the secretary shall send a summary of such actions to all members and alternate members of the senate.
  - (2) A permanent record of such actions shall be maintained in the office of the university senate. This record shall be available for review by any member of the university community.

(Board approval dates: 3/13/1978, 2/6/1983, 11/28/1983, 7/4/1987)

**3335-19-13 Amendments and suspensions.**

- (A) These bylaws may be amended as provided for in rule 3335-5-45 of the Administrative Code. Such proposals shall be substantive proposals (Rule 3335-19-07 of the Administrative Code) and shall be introduced in the agenda of a regular or special meeting.
- (B) The secretary of the university senate, with the concurrence of the rules committee, is entrusted to make non-substantive emendations in diction and grammar, and is authorized to change titles of administrative offices, administrative officers, academic units, or student constituent groups in these bylaws following appropriate action on these title changes by the senate or the board of trustees.
- (C) These bylaws may be suspended for a single and designated purpose. A proposal to suspend a provision of the bylaws may be introduced and acted upon in the same meeting, as a routine proposal, provided that the suspension shall be germane to only one specific proposal, and the suspension is affirmed by a two-thirds vote.

(Board approval dates: 3/13/1978, 4/27/1986, 8/5/1996)

## Appendix I

### RESCINDED Rules

3335-3-01	Office of the President.
3335-3-02	Offices of the executive committee members.
3335-3-03	The president.
3335-3-04	Special assistants to the president.
3335-3-05	President's executive committee.
3335-3-06	Senior vice president and provost.
3335-3-07	Secretary of the board of trustees.
3335-3-08	Vice president for business and administration.
3335-3-09	Vice president for student services.
3335-3-10	Vice president for public affairs.
3335-3-12	Vice president for health sciences.
3335-3-14	Vice president for personnel services.
3335-3-15.2	Vice president for agricultural administration and executive dean for food, agricultural, and environmental sciences.
3335-3-15.3	Vice president for development and president of the university foundation.
3335-3-15.4	Vice president for research.
3335-3-15.5	Vice president for finance.
3335-3-15.6	Vice president for human resources.
3335-3-15.7	Vice president for legal affairs and general counsel.
3335-3-17	Principal administrative officials.
3335-3-17.1	Assistant provost for continuing education.
3335-3-17.2	Dean of student life.
3335-3-17.3	University fiscal officer.
3335-3-17.4	Vice provost for student affairs.
3335-3-17.5	Associate provost for regional campuses.
3335-3-23	President and staff committees.
3335-3-24	Power of executive committee members to designate committees.
3335-3-26.2	Executive dean for regional campuses.
3335-3-28	Organization of the college of arts and sciences.
3335-3-30	Coordinating dean for arts and sciences.
3335-3-38	Director, mershon center for education in national security.
3335-3-39	Center defined.
3335-3-40	Pattern of departmental administration.
3335-5-09	Communication with the dean.
3335-5-09.1	Communication with the executive vice president and provost.
3335-5-10	Communication with the president.
3335-5-11	Communication with the board of trustees.
3335-5-21	Secretary of the university faculty.
3335-5-47	Organizing committees of the senate.
3335-5-47.2	Program committee.
3335-5-47.4	Elections committee.
3335-5-48	Standing and special committees of the senate
335-5-48.2	Council on distance education, libraries and information technology.
3335-5-48.3	Committee on university bookstores.
3335-5-48.13	Government affairs committee.
3335-5-49.1	Mershon committee on education in national security.
3335-5-49.2	Standing committee on agricultural affairs.
3335-5-49.3	Faculty Committee on patents and copyrights.
3335-5-50	Council on student affairs.
3335-8-06	Curricular requirements.
3335-8-08	Physical education.
3335-8-09	Marks for and excuses from university required courses.
3335-8-17	Regulations for the control of course offerings.

## Appendix I

### RESCINDED Rules

3335-8-18	Standards for number of class sections.
3335-8-30	Rescheduled courses.
3335-8-31	Credit for rescheduled courses.
3335-9-08.1	Withdrawal for medical reasons.
3335-47-01	General considerations.
3335-47-02	Criteria for appointment, reappointment, and promotion and tenure of tenure-track faculty.
3335-47-03	Probationary service, and duration of appointments for tenure-track faculty.
3335-47-04	Promotion and tenure review procedures for tenure-track faculty.
3335-47-05	Criteria and procedures for appeals of negative promotion and tenure decisions and appointment nonrenewals and for seventh year reviews for tenure-track faculty.
3335-47-06	Tenure initiating unit.
3335-47-07	Campus assignment.
3335-47-08	Standards of notice.
3335-47-09	Exceptions.
3335-48-01	Rules of the university faculty concerning regular clinical track faculty appointment, reappointment and nonreappointment, and promotion.
3335-48-02	Titles.
3335-48-03	Appointment cap.
3335-48-04	Proposals and approval process.
3335-48-05	Criteria for appointment, for reappointment and nonreappointment, and for promotion.
3335-48-06	Procedures for appointment.
3335-48-07	Term of appointment.
3335-48-08	Annual review, reappointment/nonreappointment, and promotion review procedures.
3335-48-09	Transfers from the tenure-track to the regular clinical track.
3335-48-10	Transfers from the regular clinical faculty track to the tenure-track.